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FOOD SOVEREIGNTY: FROM THE  
GLOBAL TO THE LOCAL LEVEL,  
THERE AND BACK

*Relatore:* Prof. MARCO MASCIA

*Laureanda:* ARIANNA PASA  
matricola N. 1079508

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## **ABSTRACT** English

This research analyses the impact of global food politics on a local level, in particular, the discourse based on the right to adequate food as it directly relates to food security. The policies relating to these concepts facilitate the mass production of agricultural products, which often fails to respect nature's cycle thereby creating unsustainability. The current model of food production is questioned and a more sustainable alternative is possible by the recognition of the right to food sovereignty as a human right. To include food sovereignty in the international human rights law, would change the approach adopted in food production, and would democratize the system. The impact of global food politics is addressed at the local level, and this investigation presents a study case based in Santa Fe (Argentina). The local civil society movements have endorsed modest, but concrete attempts to face the externalities caused by the extensive soybean monocultures.

## **KEY WORDS**

Food sovereignty, food security, right to adequate food, human rights, soybean monocultures, Argentina

## **SOMMARIO** Italiano

La presente ricerca analizza l'impatto delle politiche globali relative all'alimentazione sul livello locale, in particolare, il discorso basato sul diritto ad una alimentazione adeguata e la sua correlazione diretta con la sicurezza alimentare. Le politiche basate sull'unione di tali concetti favoriscono la produzione massiva di prodotti agricoli; tale produzione spesso non riesce a rispettare il ciclo della natura e conseguentemente causa insostenibilità. L'attuale modello di produzione alimentare è messo in discussione e un'alternativa più sostenibile è possibile mediante il riconoscimento del diritto alla sovranità alimentare come diritto umano. Includere la sovranità alimentare nel diritto internazionale dei diritti umani, cambierebbe l'approccio adottato nella produzione alimentare e democratizzerebbe il sistema. L'impatto delle politiche globali relative all'alimentazione è affrontato a livello locale e questa indagine presenta un caso di studio localizzato a Santa Fe (Argentina). I movimenti della società civile locale hanno avallato tentativi modesti, ma concreti per affrontare le esternalità causate dalle monoculture estensive di soia.

## **PAROLE CHIAVE**

Sovranità alimentare, sicurezza alimentare, diritto all'alimentazione adeguata, diritti umani, monoculture di soia , Argentina





To my family and to those people  
who struggle for a fairer world

“La comida no será una mercancía, ni la comunicación  
un negocio, porque la comida y la comunicación son  
derechos humanos”

Eduardo Galeano, *El derecho al delirio*





## CONTENTS

<b>Introduction .....</b>	<b>x</b>
<b>FIRST PART</b>	
<b>FOOD SOVEREIGNTY AT THE GLOBAL LEVEL .....</b>	<b>1</b>
Chapter 1:	
Food sovereignty: from the global to the local level, there and back .....	3
1.1 Goals and objectives of the study .....	3
1.2 Methodology .....	4
1.3 State of the art .....	7
1.3.1 <i>From the global to the local level</i> .....	8
1.3.2 <i>From the local to the global level</i> .....	15
Chapter 2:	
The global level: right to food, food security and Food Sovereignty .....	21
2.1 Terminology .....	21
2.1.1 <i>Right to adequate food</i> .....	21
2.1.2 <i>Food security</i> .....	24
2.1.3 <i>Food sovereignty</i> .....	25
<b>SECOND PART</b>	
<b>THE NATIONAL LEVEL. THE ARGENTINE REPUBLIC AND ITS DOUBLE NATURE: THE INSTITUTIONAL FRAMEWORK AND THE AGRICULTURE SHAPED BY ECONOMIC POWERS .....</b>	<b>29</b>
Chapter 3:	
Argentina: the institutional framework .....	31
3.1 The institutional framework and the legal bases to foster food sovereignty .....	31
3.1.1 <i>The new Law 27.118 on family farming: a new scenario for         agriculture in Argentina</i> .....	36
Chapter 4:	
Argentina: Food sovereignty at risk .....	43
4.1 The soybean monoculture: a threat to food sovereignty .....	43

### **THIRD PART**

#### **THE LOCAL LEVEL. SANTA FE DE LA VERA CRUZ, A CASE STUDY.....55**

##### Chapter 5:

##### SWOT analysis: strengths, weaknesses, opportunities and threats in the territory of Santa Fe de la Vera Cruz.....57

##### 5.1 Research assumptions.....57

##### 5.2 Methodology of the SWOT analysis .....58

##### 5.3 The selection of the territory and of the stakeholders to interview .. .....59

##### 5.3.1 Identities .....59

##### 5.4 SWOT analysis: Strengths.....64

##### 5.5 SWOT analysis: Weaknesses .....67

##### 5.6 SWOT analysis: Opportunities.....70

##### 5.7 SWOT analysis: Threats .....72

##### 5.8 Final Considerations .....74

##### Chapter 6:

##### Conclusions .....77

##### 6.1 Future perspectives.....77

#### **ACRONYMS .....81**

#### **ANNEXES .....85**

##### Annex 1 .....87

##### Annex 2 .....91

#### **BIBLIOGRAPHY .....109**

#### **WEBSITES .....111**

#### **Acknowledgements .....114**

## INTRODUCTION

This research thesis aims to analyse the impact of global food politics on a local level, in particular, the discourse based on the right to adequate food as it directly relates to food security. The policies relating to these concepts facilitate the mass production of agricultural products, which often fails to respect nature's cycle, thereby creating unsustainability. In the territory of Argentina, the industrial production of soybeans causes environmental damages and imposes dangerous consequences on the health of those who live close to or work in the cultivated fields. In recent years, researchers have tried to monitor the consequences of the use of certain fertilizers and pesticides on the health and well-being of the population. Consequently, local movements have started to arise, taking a stand against the irresponsible mass production of food. As a result of these movements, many sustainable agricultural projects have been generated based on the concepts of agroecology and food sovereignty.

Therefore, as mentioned before, the goal of this investigation is to analyse the influence and corresponding reactions of global food politics on a local level. This study connects the global and local levels of food politics through the instrumental case study of the Province of Santa Fe (Argentina).

The global level is analysed in the first part of the thesis. In particular, Chapter 1 introduces the research goals and methodology, and delineates the state of the art. The use of the terminology (right to adequate food, food security and food sovereignty) is clarified in Chapter 2. The second part is focused on the national level and shows the Argentine institutional framework (Chapter 3) and its agricultural situation after almost twenty years of genetically modified soybean cultivations. Finally, the third part analyses the local level. More specifically, Chapter 5 describes the results of the field research in the area of Santa Fe de La Vera Cruz, while Chapter 6 faces the conclusions of this study.



## **FIRST PART**

### **FOOD SOVEREIGNTY AT THE GLOBAL LEVEL**



## **Chapter 1**

### **Food sovereignty: from the global to the local level, there and back**

#### **1.1 Goals and objectives of the study**

The general objective of this thesis is to investigate the effects and corresponding reactions of global and national food politics on a local level. Indeed, it is an evaluation of the interaction amongst the different levels (global, national, and local) in the field of food production.

The territory considered for the scope of this research is the Province of Santa Fe. More specifically, the SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis designed to illustrate the case study is focused on the area of Santa Fe - Capital and its neighborhoods. This study is temporally limited to the last two decades: the year 1996 ideally represents the beginning of a process which has dramatically changed Argentinian agriculture. In fact, this is the year of the introduction of GM soybeans in the country.

Then, the specific objectives of this thesis play a role in the different levels of governance.

Firstly, when considering the international level, the purpose is to contextualize the functioning of global food politics in an interconnected and

globalized world, and to deepen the meanings of concepts relevant to this thesis, such as: right to adequate food; food security; food sovereignty; agroecology.

Secondly, the national level needs to be introduced to those readers who are not familiar with the Argentine situation. Two main aspects will have to be considered: the institutional framework related to the protection of the right to adequate food, along with the more recent introduction of the concept of food sovereignty within Government discourse; and the evolution of the Argentine rural area since the introduction of the GM soybeans in 1996.

Finally, the case study refers to the local level, and aims to show a fragment of the rural reality in the territory of the Province of Santa Fe. The qualitative results of the SWOT analysis cannot be generalized, due to the small dimensions of the sample selected, and the specific characteristics of the analysed territory. However, it represents an example of a segment of a local level, which opposes the policies addressed to strengthen extensive agriculture, and which advocates for the recognition of the right to food sovereignty.

## **1.2 Methodology**

This thesis is the result of three months of field research, preceded by bibliographical research, and followed by data analysis and re-elaboration.

The methodology adopted belongs to qualitative methods. In particular, the employment of in-depth interviews, both structured and semi-structured provides detailed information on the stakeholders' perception of reality.

The obtained outcomes are not generalizable, considered the limited dimensions of the selected sample. However, the picture obtained represents valuable reproducible examples of sustainable practices adopted in agriculture, and demonstrates the importance of recognizing the right to food sovereignty at the international level, in order to protect small farmers,



which are threatened by the globalized system of food production.

The research was essentially divided in the following phases:

(I) First Phase. To define the objective of the research.

After the selection of the bibliography and relevant discussions with colleagues working in the Universidad Nacional Del Litoral within the context of the research group C.A.I + D 2011 "Hacia la construcción de una regulación agroalimentaria. Perspectivas local, internacional y global", approved by University Res. C.S 205/13, the state of the arts was defined, along with the general and specific objectives of the research.

(II) Second Phase. To choose the methodology.

Considered the complexity of the subject approached, and the existence of significant bibliography related to food sovereignty, it was appealing to limit the field of the research to a territorial area that could be analysed in-depth. The intention was to offer a picture of how global and national food politics affect the local level, and how the local level reacts.

The adoption of qualitative methods seemed to be suitable to achieve the prefixed goals. Thus, within qualitative methods, the in-depth interviews were the more appropriate, considering the scopes of this research. Finally, it was decided the employment of the SWOT analysis, in order to clearly maintain the various aspects characterizing the research object. In fact, when handling qualitative methods the risk of sympathizing with the stakeholders is high. Thus, using an analysis which forces the researcher to investigate the weaknesses and threats of the selected situation, resulted as a reasonable solution to avoid unfairness caused by personal perception of the reality in the re-elaboration of the data.

(III) Third Phase. To select the unit of the analysis.

It goes without saying, that the Second and Third Phases were developed at the same time. Actually, it was impossible to design the research

methodology without considering the unit of the analysis.

The territory of the Province of Santa Fe was qualitatively interesting for the purposes of this research, because of the significant changes it has undergone in the last two decades. Indeed, the introduction of GM soybeans in 1996 rapidly modified agricultural practices within the Province, and social movements advocating for more sustainable farming appeared. Thus, the unit of analysis, representing the local level, is the territory of the Province of Santa Fe, and more specifically, the field research was focused in Santa Fe - Capital and its neighborhood. The territory is considered from a socio-political point of view and it is analysed through the interactions of the selected civil society movements, along with their relations with the main governmental institution involved in local agriculture. Additionally, during this phase, the relevant stakeholders to interview were selected.

The international level, necessary to identify the powers which have an influence on the local level, was analysed through bibliographic research.

#### (IV) Fourth Phase. Data collection.

Considering that a qualitative research plan evolves during the investigation, the data collection was adapted according to the situation to be faced.<sup>1</sup> Additionally, the opportunity to take part to in various workshops such as: *IV Foro Latinoamericano de Desarrollo Sostenible* (IV Latin American Forum on Sustainable Development), Rosario (May 28<sup>th</sup> - 29<sup>th</sup>, 2015); and *Soberanía alimentaria y comunicación comunitaria* (Food sovereignty and community communication), Santa Fe - Capital, June 10<sup>th</sup>, 2015, proved to be valuable experiences, in order to paint a detailed picture of the different actors who play a role in agricultural activities in the Province.

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<sup>1</sup> Additional details regarding the methodology adopted are described in Chapter 5.

Furthermore, qualitative methods allow in-depth interaction with the object of the research. Thus, new elements, which were not considered at the beginning of the research, have been added during the development of the investigation.

(V) Fifth Phase. Re-elaboration of the data.

Once the data were collected, they were re-elaborated in Italy, far from the object of the study. This was a deliberate choice, in order to overtake, and possibly overcome, the identification of the researcher with the considered stakeholders, along with the intention of presenting impartially the obtained results. From here, it was also clear the need of presenting the situation of Argentina to those readers who are not familiar with it. Hence, the choice to include descriptive paragraphs on the institutional framework of the country, and on the evolution of Argentinian agriculture in the last two decades.

### **1.3 State of the art**

Food security and food sovereignty are broad topics that have been investigated from different points of view. In fact, food, as a fundamental component of human life, deserves the attention from all its pertaining disciplines. However, this study focuses on the global politics concerning food, in particular, the manner in which food is produced and distributed. In addition, the influence of said politics and how they transform the local level. Moreover, keeping in mind the multidisciplinary nature of the issue, this thesis aims to analyse the local level's reactions to mass production, from a political and social point of view, specifically focusing on the instrumental case study of the Province of Santa Fe, Argentina. This territory has been examined through a SWOT analysis, which has shown certain tendencies amongst the local stakeholders to

oppose and resist the global food politics of production. These groups represent an ongoing movement, which demands the recognition of food sovereignty.

### **1.3.1 From the global to the local level**

When talking about global food politics, it mainly refers to the policies aimed to guarantee the right to adequate food guided by the food security concept. Food security was defined by the 1996 World Food Summit as, «[...] existing when all people at all times have access to sufficient, safe, nutritious food to maintain a healthy and active life»<sup>2</sup>. Moreover, according to the World Health Organization (WHO), food security is based on food availability, food access and food use. Problems arise due to the fact that food security does not define any regulation about the production of food.

Thus at an international level, the main actors who deal with this model (which appears to promote industrial food production and free trade agreements) are the United Nations (UN) Food agencies such as, the Food and Agriculture Organization (FAO) and its Codex Alimentarius, the World Trade Organization (WTO), the World Bank (WB), and the International Monetary Fund (IMF). As William D. Schanbacher noted with regards to the WB's involvement with the mentioned actors, «[...] [it] promotes a specific form of development that focuses on liberalization, privatization, free trade, technology, and good governance.»<sup>3</sup> As the author outlines, these strategies are not negative in it of themselves, but they come with some great disadvantages, especially when applied in countries that do not have the political, social and/or judicial system sufficiently developed in order to avoid the exploitation and manipulation that

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<sup>2</sup> World Health Organization, "Food Security", <[www.who.int/trade/glossary/story028/en/](http://www.who.int/trade/glossary/story028/en/)>, accessed on March 3<sup>rd</sup>, 2015.

<sup>2</sup> Schanbacher William D., *The Politics of Food, The Global Conflict between Food Security and Food Sovereignty*, Praeger, Santa Barbara, California, 2010, p. 17.

<sup>3</sup>

often come from foreign capitals. Schanbacher investigates the outputs of what he calls the *global food regime*. This concept employed by Schanbacher illustrates a complex system that emerged after the Second World War with the creation of the now existing WB and IMF. This structure functions on various levels, including the local, the national and the international, in an attempt to reduce poverty in developing countries through «[...] economic policies including trade liberalization, privatization, deregulation of national industry, and the opening of economic markets.»<sup>4</sup> These examinations are particularly useful in this research, not only by demonstrating the negative aspects of the previous and current strategies, but also in the effort to find alternative approaches to the production and distribution of food. In fact, food is the basis of human life and its production and distribution can be rethought according to human rights principles, human responsibilities and by adopting what Amartya Sen defines as the *capability approach*. Sen's capability approach directs attention to the quality of life that individuals are able to achieve, beginning with their preexisting potentials. Hence, the quality of life is defined in terms of its *functionings* (state of being and doing) and *capability* (the set of valuable functionings that a person has effective access to).<sup>5</sup>

Focusing on the global food regime, it is worth mentioning the observations made by the Nobel Prize winner Joseph E. Stiglitz, in his book *Globalization and its Discontents*<sup>6</sup>, which epitomizes the tragic consequences of the WB's and IMF's approach to poverty reduction. Although, Stiglitz's book examines cases dating back to the late nineties, it is imperative to keep it in mind because Stiglitz's conclusions represent a turning point in the debate on

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<sup>4</sup> Schanbacher William D., *The Politics of Food, The Global Conflict between Food Security and Food Sovereignty*, Praeger, Santa Barbara, California, 2010, p. viii.

<sup>5</sup> For further clarifications, visit Wells Thomas, The Internet Encyclopedia of Philosophy, "Sen's Capability Approach", <[www.iep.utm.edu/sen-cap/#H3](http://www.iep.utm.edu/sen-cap/#H3)>, accessed April 13<sup>th</sup>, 2015.

<sup>6</sup> Stiglitz Joseph E., *Globalization and its discontents*, W.W. Norton & Company, New York, 2002.

development. The international arena could not ignore his criticisms of the WB's and IMF's policies.

When referring to the right to food, inevitably the topics of hunger and malnutrition must be addressed. Approaching these issues is complicated.

Firstly, it is tempting to analyse hunger as a 'one-solution' type of problem, related to the scarcity of food and the growing world population. Although, the economist and demographer Thomas Robert Malthus stated, in *An essay on the principle of population*<sup>7</sup>, that fast growing populations may result in eventual food scarcity, this is not what is currently observed in today's global reality.

Indeed, Malthus did not take into account the progress made in birth control methods and its impact on world's population growth, along with advances in food production.

Moreover, according to Amartya Sen's studies, we currently have enough food to feed the world's population; the problem is the manner in which such food is distributed. It is incorrect to imagine world hunger as an all-encompassing phenomenon, because in this way, policy makers would be compelled to adopt a single pack of policies valid for the whole planet. The simplification of this model does not consider local variables making it ineffective. Hunger has its own characteristics that change from place to place, and, as local development and anthropological food theories dictate, it is impossible to write a list of needs and a plan of action that would be universally effective. Firstly, each locality must be visited and studied. Then, a solution can be designed with the cooperation of local stakeholders, accordingly to the specific needs, capacities, and capabilities of the considered territory.

According to Sen, hunger does not depend exclusively on food production. There are varying elements that impact (sometimes casually) food accessibility.

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<sup>7</sup> Malthus Thomas, *An essay on the principle of population*, (first edition 1798), Dover Publications, Inc., New York, 2007.

Among others, the following variables have to be considered:

- enhancement of general economic growth;
- expansion of employment and decent rewards for work;
- diversification of production;
- enhancement of medical and health care;
- arrangement of special access to food for vulnerable people (including deprived mothers and small children);
- spread of basic education and literacy;
- strengthening of democracy and news media;
- reduction of gender-based inequalities.<sup>8</sup>

Moreover, hunger requires a deep and multispectral analysis so it may therefore be understood as a complex phenomenon.

According to Marvin Harris<sup>9</sup>, the current alimentary system creates food products aimed to sell, instead of to eat. Consequently, malnutrition is a concern emerging from the current industrialization and, as Patricia Aguirre noted in *Ricos Flacos, Gordos Pobres, La Alimentación en Crisis*<sup>10</sup>, the food industry keeps the consumers far away from the production process, to the point that the purchasers are unaware of the food's origin. The introduction of sugar in our diets (an absolutely marginal element in nutritional terms) is an epitomizing example. Since the XVI century, sugar consumption has grown exponentially, pushed by the immense profits generated throughout colonial exploitation.<sup>11</sup>

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<sup>8</sup> Sen Amartya, *Hunger in the contemporary world*, DERP no. 8, London, 1997, p. 9.

<sup>9</sup> Harris Marvin, *Cows, Pigs, Wars and Witches*, Vintage Books Edition, New York, 1989.

<sup>10</sup> Aguirre Patricia, *Ricos Flacos, Gordos Pobres. La alimentación en Crisis*, [translated by the author: Slim rich, fat poor. The nutrition in crisis], Colección Claves Para Todos. Capital Intelectual, Buenos Aires, 2004.

<sup>11</sup> For further information, Mintz Sidney W., *Sweetness and Power: The Place of Sugar in Modern History*, Penguin Books USA Inc., New York, 1985.

Recent studies<sup>12</sup> show that, in countries with a high Human Development Index<sup>13</sup>, obesity more frequently affects people with a lower socioeconomic status. Possible explanations reveal that poor people are « [...] more susceptible to the risk of obesity, given their lower levels of education and health awareness»<sup>14</sup>, but also because in developed countries low-calorie foods tend to be more expensive than those that compose an energy-dense diet. Obviously, it is important to avert obesity, in order to prevent the emergence of its related diseases, like diabetes and cardiovascular problems.

Hunger and malnutrition are inevitable challenges that face international policy. Despite the adoption of the First Millennium Development Goal (to eradicate extreme poverty and hunger), about 842 million people are still estimated to be undernourished<sup>15</sup>. According to Michael Windfuhr and Jennie Jonsén, a policy change is needed. Indeed, « The current dominant policies for eliminating hunger and malnutrition are evidently not working [...]. Food Sovereignty is [...] a necessity. A change of attitude and approach, at all levels of policymaking, that prioritizes the needs and security of smallholder farmers, pastoralists and fisherfolk [...] the world over should be a political and social priority.»<sup>16</sup> Once clarified that food production and distribution are just two aspects of food security, an attempt must be made to explain how the current food industry works and why it should be rethought. The food industry includes the companies

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<sup>12</sup> "Obesity and socioeconomic status in developing countries: a systematic review", (edited by) Dinsa G.D., Y. Goryakin, Fumagalli E. and Suhrcke M., in *Obesity Reviews*, n. 13, 2012, pp. 1067–1079, p. 1067.

<sup>13</sup> Argentina was ranked as the last of the "Very high human development" countries (placed 49<sup>th</sup>, in 2014). Further information is available at the United Nations Development Program, "Human Development Index and its components (2014)", <<http://hdr.undp.org/en/content/table-1-human-development-index-and-its-components>>, accessed on May 1<sup>st</sup>, 2015.

<sup>14</sup> Dinsa G.D., Y. Goryakin, Fumagalli E. and Suhrcke M., *op. cit.*, p. 1076.

<sup>15</sup> United Nation, "Goal 1: Eradicate extreme poverty and hunger", <[www.un.org/millenniumgoals/poverty.shtml](http://www.un.org/millenniumgoals/poverty.shtml)>, accessed on May, 2<sup>nd</sup> 2015.

<sup>16</sup> Windfuhr Michael, Jonsén Jennie, *Food Sovereignty. Towards democracy in localized food systems*, ITDG Publishing, Bourton-on-Dunsmore, 2005, p. 37.



that produce, process, manufacture, sell, and serve foods, beverages, and dietary supplements.

Where great economic interests are involved, information is often manipulated to hide or destroy the truth. Marion Nestle, in *Food Politics, How the food industry influences nutrition and health*<sup>17</sup>, explains that food companies, like any other company, have to make a profit. Thus, ethical concerns, such as the production of healthy food are no longer considered a priority by the biggest companies, and due to their large economic power («The largest [US] companies generated more than \$30 billion each in annual sales [...]»<sup>18</sup>), they are able to influence the political decision making processes of governmental agencies. Commonly such agencies choose to adopt sales-friendly regulations instead of warning its citizens about the negative effects of unhealthy food.

This system favors big companies that often occult the different phases of the industrial food process. This market oligopolization tendency creates an overall detriment from food sustainability (which is mostly connected to low-profit small producers and traditional agriculture). As noted Vandana Shiva in her essay *Food rights, Free trade, and Fascism*<sup>19</sup>, the free trade paradigm substituted individual freedom for entrepreneurial freedom, naturalizing the big corporations' control of the world population.

Furthermore, the current model of extensive agriculture utilizes Genetically Modified Organisms (GMO), pesticides and depends on petroleum. As Aguirre noted<sup>20</sup>, this process is not sustainable and should be rethought in order to empower small producers, preserve biodiversity and traditional

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<sup>17</sup> Nestle Marion, *Food Politics, How the food industry influences nutrition and health*, University of California Press, Berkeley and Los Angeles, California, 2007.

<sup>18</sup> *Ivi*, p. 13.

<sup>19</sup> Shiva Vandana, "Derecho a la alimentación, libre comercio y fascismo", in Matthew J. Gibney (eds.), *La globalización de los derechos humanos*, Crítica, Barcelona, 2004, pp. 95-121.

<sup>20</sup> Aguirre, Patricia, *La seguridad alimentaria*, available at <[www.suteba.org.ar/download/trabajo-de-investigacin-sobre-seguridad-alimentaria-13648.pdf](http://www.suteba.org.ar/download/trabajo-de-investigacin-sobre-seguridad-alimentaria-13648.pdf)>, accessed on March 28<sup>th</sup>, 2015.

knowledge. These small-scaled productions create healthy and nutrient food, which acts to prevent the diseases correlated to an unhealthy diet, along with eliminating the negative impacts produced by chemical pesticides. Recently, the World Health Organization (WHO) has recognized that the active ingredient, glyphosate, of the world's most widely used weedkiller, Roundup, "probably" causes cancer<sup>21</sup>. Finally, the presence of small-scaled food companies help to reduce environmental pollution.<sup>22</sup>

In conclusion, to create a broad idea of the complexity of the food industry, it is necessary to state the impact of the financial markets on the production of food and consequently on people's lives. The deregulated financial market allows speculators to increase food prices, with

[...] catastrophic consequences for people in poverty in the global south, who spend most of their income on food.

This results in:

- Increased hunger as food becomes unaffordable.
- Malnutrition as smaller quantities of expensive foods such as fruit and vegetables are eaten in order to afford staple foods
- Increased burden on women to earn more money by taking up risky employment such as sex work or domestic work.
- Households using up savings, going into debt or selling assets to pay for food.
- Families unable to afford healthcare and education as more of their income is needed to buy basic food.<sup>23</sup>

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<sup>21</sup> The Guardian, "Roundup weedkiller 'probably' causes cancer, says WHO study"(published March 21<sup>st</sup>, 2015), <[www.theguardian.com/environment/2015/mar/21/roundup-cancer-who-glyphosate-](http://www.theguardian.com/environment/2015/mar/21/roundup-cancer-who-glyphosate-)>, accessed on March, 29th 2015.

<sup>22</sup> It would be too ambitious to deeply analyse all these issues in this research, but mentioning them helps to keep them in mind, considering the complexity of the food production process and the interdependence of all these variables. You will find below which aspects would be objectives of this study.

<sup>23</sup> Global Justice Now, "Food Speculation", <[www.globaljustice.org.uk/food-speculation](http://www.globaljustice.org.uk/food-speculation)>, accessed on March, 28th 2015.

However, this goes further than the objectives of this research.<sup>24</sup> The extensive view of the bibliography offered above, pertaining to the determinant factors of food politics at a global level, obviously demonstrates that the global level is interconnected with the local one, which consequently acts and reacts.

### ***1.3.2 From the local to the global level***

The central focus of the state of the art is now shifted to the impact of global food policies on the local level particularly in the agricultural sector.

The central case study is examined through a SWOT analysis of the territory of the Province of Santa Fe and the cultivation of soybeans. The extensive cultivation of transgenic soybeans started to spread around this country (mostly in the Province of Córdoba, Santa Fe, and Buenos Aires) in the 1990s. Today, Argentina is the world's third biggest producer and exporter of soybeans and the largest exporter of soybean oil and flour<sup>25</sup>. Therefore, it is crucial to consider the following:

- the manner in which the implementation of extensive transgenic soy agriculture has changed the territory and developed over the years;

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<sup>24</sup> For further information on the topic, you can consult the following reports provided by World Development Movement, Justice for the world's poor:

- "The great hunger lottery" (July 2010)  
<[www.globaljustice.org.uk/sites/default/files/files/resources/hunger\\_lottery\\_report\\_6.10.pdf](http://www.globaljustice.org.uk/sites/default/files/files/resources/hunger_lottery_report_6.10.pdf)>;
- "Broken markets" (September 2011)  
<[www.globaljustice.org.uk/sites/default/files/files/resources/broken-markets.pdf](http://www.globaljustice.org.uk/sites/default/files/files/resources/broken-markets.pdf)>, accessed on March, 28th 2015.

<sup>25</sup> "Análisis de la cadena de soja en Argentina", Giancola Silvana Inés, Salvador María Laura, Covacevich Melina, Iturrioz Gabriela (edited by), in *Estudios Socioeconómicos de los sistemas agroalimentarios y agroindustriales*, n. 3, Ediciones Instituto Nacional de Tecnología Agropecuaria, 2009, p. 13.

- the effects that this cultivation has had on the environment and on human life in general;
- how civil society has accepted or resisted this transformation;
- the sustainable alternatives available;
- if the production of transgenic soybeans has threatened food sovereignty;
- if the concept of food sovereignty can be recognized as a basic human right.<sup>26</sup>

With regards to the consequences of extensive transgenic soybean cultivation it is important to verify its augmentation, output and contribution to food security. Actually, there are many publications that argue against the efficiency of the mass food production model. Among them, are Miguel Altieri's studies<sup>27</sup> where he attributes the eventual inefficiency of the small traditional farms' production to social factors instead of technical ones and continues to explain that: «[...] small family farms are much more productive than large farms if total output is considered rather than yield from a single crop. Integrated farming systems in which the small-scale farmer produces simultaneously grains, fruits, vegetables, fodder, and animal products out-produce yield per unit of single crops such as corn (monocultures) on large-scale farms»<sup>28</sup>.

Concentrating on the Argentine situation, Aguirre's<sup>29</sup> works are particularly beneficial. She evaluates the effects of the soy monoculture on the environment and human life, stating that this conversion to soybean production is causing the disappearance of medium and small level producers, forcing such producers to

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<sup>26</sup> This list is just a synthesis of the research general goals. However, it has not to be considered exhaustive.

<sup>27</sup> Altieri Miguel A., Funes-Monzote Fernando R., Petersen Paulo, "Agroecologically efficient agricultural systems for smallholder farmers: contributions to food sovereignty", in *Agronomy for Sustainable Development, Official journal of the Institut National de la Recherche Agronomique (INRA)*, INRA and Springer-Verlag, France 2011.

<sup>28</sup> *Ibidem*.

<sup>29</sup> Aguirre Patricia, *op. cit.*

quit rural life and move to the cities (with the demographic and social impact annexed). This phenomenon aids in giving big companies the possibility to monopolize the market, as Miguel Teubal evidenced in its studies<sup>30</sup>. Moreover, Aguirre underlines that sustainability and environmental protection are not contemplated in this system that is exclusively driven by profit.

Furthermore, it is important to mention the impressive photographic service that illustrates the negative consequences of the use of glyphosate (the most commonly used pesticide) on human life in the area of Entre Ríos, Chaco y Misiones. *El costo humano* by Pablo Piovano<sup>31</sup>, shows that malformations and diseases are suffered by field workers and those who live close to the cultivations<sup>32</sup>.

In addition, the academic world has begun to advocate the cessation of this unhealthy system of production and demand adequate compensation for the affected people. Subsequently, certain civil associations have taken on the responsibility of spreading awareness about the current situation. Among them are, *Red Universitaria de Ambiente y Salud*, *Médicos de Pueblos Fumigados* and the *Red de Abogadxs*<sup>33</sup> *de Pueblos Fumigados*.

Additionally, with the help of civil society movements, alternative ways of production have been and are being developed with an agroecological approach. In fact, according to Gordon R. Conway<sup>34</sup> agroecology studies the interdependence of productivity, stability, sustainability and equitability.

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<sup>30</sup> In particular, Teubal Miguel, "Globalización y nueva ruralidad en América Latina", in *Una nueva ruralidad en América Latina?*, CLACSO, Consejo Latinoamericano de Ciencias Sociales, Buenos Aires, 2001.

<sup>31</sup> Piovano Pablo, "*El costo humano*", available on the website Izquierdos Humanos at the following link: [www.izquierdoshumanos.com/#!ELCOSTOHUMANO/cjds/5512d5d70cf2aa18115b1646](http://www.izquierdoshumanos.com/#!ELCOSTOHUMANO/cjds/5512d5d70cf2aa18115b1646), accessed on March, 29<sup>th</sup> 2015.

<sup>32</sup> The areas that suffer from the negative consequences of pesticide employment spread by plane are better known as *Pueblos fumigados*.

<sup>33</sup> The association use the term *Abogadxs* for a reason of gender neutrality.

<sup>34</sup> Conway Gordon R., *Agroecosystem analysis for research and development*, Winrock international, Bangkok, 1986.

Although, agroecology is not necessarily correlated with a particular social or political movement, due to its interdisciplinary nature, it represents a suitable mainstream approach to food production. As Altieri, Rosset and Thrupp noted:

Agroecology integrates indigenous knowledge with modern technical knowledge to arrive at environmentally and socially sensitive approaches to agriculture, encompassing not only production goals, but also social equity and ecological sustainability of the system. In contrast to the conventional agronomic approach that focuses on the spread of packaged uniform technologies, agroecology emphasizes vital principles such as biodiversity, recycling of nutrients, synergy and interaction among crops, animals, soil, etc., and regeneration and conservation of resources.<sup>35</sup>

If agroecology is a good way of thinking about this problem, the recognition of food sovereignty as a basic human right might be an appropriate starting point for management of it, as argues La Via Campesina. The Declaration of Nyéléni<sup>36</sup> stated in 2007 that:

Food sovereignty is the right of peoples, communities and countries to define their own agricultural, pastoral, labour, fishing, food, and land policies which are ecologically, socially, economically and culturally appropriate to their unique circumstances. It includes the true right to food and to produce food, which means that all people have the right to safe, nutritious and culturally appropriate food and

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<sup>35</sup> Altieri, Miguel A., Rosset, Peter, Thrupp, Lori A., (source), "The meaning and principles of agroecology", in *Recipe for disaster, who is cooking the global meal?*, Latin American Solidarity Centre, Dublin, April 2010, p.12.

<sup>36</sup> The Declaration of Nyéléni is available on the official website of La Via Campesina at the following link: <[viacampesina.net/downloads/PDF/Brochura\\_em\\_INGLES.pdf](http://viacampesina.net/downloads/PDF/Brochura_em_INGLES.pdf)>, accessed on March 29<sup>th</sup>, 2015.

to food-producing resources and the ability to sustain themselves and their societies (NGO/CSO Forum for Food Sovereignty, Rome, June 2002).<sup>37</sup>

Food sovereignty places small food producers and consumers in the center of the discourse, creating a system concerned with sustainability and biodiversity. This concept is broader than that of food security because it deals with the full food process. It not only assures the population's final consumption, but also guarantees that whole process follows a fair path. La Via Campesina movement strives to recognize food sovereignty as an international human right. In fact, this movement has had significant success in countries such as, Ecuador, Venezuela, Mali, Bolivia, Nepal and Senegal where food sovereignty has been recognized as a constitutional right. However, the task at hand is the evaluation of local projects based on food sovereignty models and the validation of their sustainability, effectiveness and eventually progress.

Lastly, it must be mentioned that there are existing studies that attempt to evaluate food sovereignty development. However, it is no simple task to choose the correct quantitative dimensions for a study. It is interesting to consider the results obtained by the Observatorio de Soberanía Alimentaria y Agroecología (OSALA) of the University of Córdoba (Spain) published in the essay, *La necesidad de indicadores para construir la soberanía alimentaria*<sup>38</sup> (*The Need for Indicators to Build Food Sovereignty*). This article serves as a guide to identify the possible variables that can be observed in food sovereignty projects. Considering the nature of this study qualitative methods have been privileged.

In conclusion, this academic endeavor evaluates the hypothesis that

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<sup>37</sup> Campbell Tom, "From food security to food sovereignty: an alternative response to global food crisis", in *op. cit.*, Latin American Solidarity Centre, Dublin, April 2010, pp. 3-5.

<sup>38</sup> Binimelis Rosa, and others, "La necesidad de indicadores para construir la soberanía alimentaria", in *Procesos hacia la soberanía alimentaria*, Cuéllar, M., Calle, A., Gallar, D., (eds.), Icaria editorial, s. a., Barcelona, 2013, pp. 153-166.

sustainable and efficient agricultural practices indeed do exist. In fact, the Argentinian case study clearly demonstrates the tendency of a certain fraction of its civil society to oppose the predominant agricultural model through agroecological alternatives and ethical consumerism.



## **Chapter 2**

### **The global level: right to food, food security and Food Sovereignty**

#### **2.1 Terminology**

Food is at the heart of every human life. There is no human activity which can disregard food, and the performance of human beings depends on nutrition, which is fundamental especially during childhood. Considered its importance, food issues necessarily have to be treated at the international level. Thus, when talking about food from a political point of view, there are three concepts which have to be kept in mind: right to adequate food, food security, and food sovereignty.

##### ***2.1.1 Right to adequate food***

At the global level, the right to food, is guaranteed by various instruments. It was firstly recognized in 1948 in the Universal Declaration of Human Rights (UDHR), under article 25 which states: «1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food [...]». Then, it became legally binding in the States which ratified

the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966, into force since 1976), which recognizes the right to food under article 11:

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.
2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:
  - (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
  - (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

Additionally, according to the Committee on Economic, Social and Cultural Rights (CESCR),

The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement. The *right to adequate food* shall therefore not be interpreted in a narrow

or restrictive sense which equates it with a minimum package of calories, proteins and other specific nutrients. The *right to adequate food* will have to be realized progressively. However, States have a core obligation to take the necessary action to mitigate and alleviate hunger [...], even in times of natural or other disasters.<sup>39</sup>

For the scope of this thesis, the definition of the right to adequate food stated in the ICESCR and deepened in the CESCR General Comment n.° 12 functions as a reference. Indeed, the General Comment n.° 12 considers also food adequacy, sustainability (present and future generations have to have available and accessible food), security, nutritional contents, safety, and cultural acceptability. However, there are other international treaties, which recognize the right to food: the Convention on the Elimination of All Forms of Discrimination (CEDAW, 1979), the Convention on the Rights of the Child (CRC, 1989, article 24), and the Convention on the Rights of Persons with Disabilities (CRPD, 2006, articles 26, 28). Finally, the FAO Council adopted the Voluntary Guidelines in November 2004. The guidelines are tools based on the human rights principles which should be a blueprint for FAO member States to implement the right to adequate food and to achieve higher standards of economic, social and cultural rights.

The right to adequate food has a longer history than food security and food sovereignty, and it has also a higher relevance, both at the national and international level, because of its nature. Indeed, as a right recognized by international treaties, it has to be respected, protected and fulfilled by those States who ratified the above mentioned treaties. Thus, States have the responsibility to implement and guarantee the right to adequate food, while individuals should be empowered to claim their right if violated.

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<sup>39</sup> CESCR, *General Comment 12, The right to adequate food*. E/C.12/1999/5, par. 6.

### **2.1.2 Food security**

In 1996, the World Food Summit defined food security as existing «[...] when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food which meets their dietary needs and food preferences for an active and healthy life». Food security is based on four pillars, which are located under the umbrella of the right to adequate food: availability of food, access to food, stability, food utilization. Additionally, in the implementation of the right to food, and food security, the decision-makers should take into account the following human rights principles, in order to legislate in line with international human rights law: participation, accountability, non-discrimination, transparency, human dignity, empowerment, and rule of law.

Nonetheless, the existence of the Voluntary Guidelines and the FAO commitment to the implementation of a legislation based on human rights principles, the concept of food security still lacks a perspective on how food should be produced.

Indeed, at the international level, States are still focused on food security instead of food sovereignty. This approach is focused on increasing the food production, which favors the development of agribusiness. In fact, the food security perspective considers just the last step of the food production chain (i.e. to have access to sufficient, safe and nutritious food), while there is no attention to the ways in which food could be produced and to the externalities the process may have on human health, and environment. Thus, the productive approach, led by economic efficiency, resulted in the expansion of a food regime where big corporations play a major role, while peasants are forced to move from the rural environment to the urban one, with the correlating social and environmental consequences.

Additionally, the achievement of food security does not guarantee individual and peoples' right to have «[...] access to productive resources [...]»<sup>40</sup>. Paradoxally, individuals might have access to adequate food, but would not be able to produce their own food, if they were willing to do so.

The disillusion emerged after the Green Revolution, which aimed to increase productivity of global agriculture through the employment of new technologies, such as chemical fertilizers, weedkillers and pesticides, along with the development of extensive farming and concentration of lands, in the late Sixties, pushed a part of the civil society to rethink agronomy.

Considering food security a narrow concept to guarantee the rights of smallholders and peasants, the civil society organizations conceived a broader approach to lead national and international food policies and regulations: food sovereignty.

### **2.1.3 Food sovereignty**

In 1996, during the same World Food Summit that defined food security, La Vía Campesina brought to the international arena the concept of food sovereignty. Lately, food sovereignty was defined in 2002, during the Forum of NGOs/CSOs in Rome, but it is only in 2007, with the Declaration of Nyéléni that the concept was shaped as follows:

Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems.

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<sup>40</sup> Windfuhr Michael, Jonsén, Jennie, *op. cit.*, p. 22.

It puts those who produce, distribute and consume food at the heart of food systems and policies rather than the demands of markets and corporations. It defends the interests and inclusion of the next generation. It offers a strategy to resist and dismantle the current corporate trade and food regime, and directions for food, farming, pastoral and fisheries systems determined by local producers. Food sovereignty prioritizes local and national economies and markets and empowers peasant and family farmer-driven agriculture, artisanal - fishing, pastoralist-led grazing, and food production, distribution and consumption based on environmental, social and economic sustainability. Food sovereignty promotes transparent trade that guarantees just income to all peoples and the rights of consumers to control their food and nutrition. It ensures that the rights to use and manage our lands, territories, waters, seeds, livestock and biodiversity are in the hands of those of us who produce food. Food sovereignty implies new social relations free of oppression and inequality between men and women, peoples, racial groups, social classes and generations.

Thus, food sovereignty is presented as a suitable alternative to the global food regime, in order to eradicate hunger and malnutrition.

First of all, it is a concept defined by the civil society through a participatory process. Secondly, it takes into account rural people and peasants, which generally are those who suffer from hunger and malnutrition in the poorest part of the world. Thirdly, this approach claims public policies which guarantee to smallholders and peasants the rights to manage and enjoy resources, which too often are treated as private goods in the neoliberal system. Then, food sovereignty promotes sustainable agriculture to produce healthy and culturally appropriate food. Thus, it considers those consequences on the environment and on human beings, which are usually left out by food security approaches. Moreover, the Declaration of Nyéléni proposes to implement social

relations free from inequality and discriminations.

Finally, food sovereignty must not be confused with autarchy, because this conception does not exclude trade from its goals, but it aspires to foster a fairer global market, where small producers can have a dignified life from their work, and can exit from the current oppressive system that does not guarantee to them the sufficient incomes to live free from poverty and hunger.

In conclusion, food sovereignty is a path to be followed, in order to democratize the global food regime. To recognize food sovereignty as a basic human right would force Governments to respect, protect and fulfill this right, and would empower individuals damaged by unsustainable agriculture to claim their rights. Additionally, it would offer a legal base to limit the regulations on intellectual property accepted worldwide through the Trade-Related Aspects of Intellectual Agreement (TRIPS, 1994), which forms part of the WTO package of Agreements. Indeed, the system of patents, especially when applied to biotechnologies, harms small farmers, who assist in the disappearance of traditional seeds, along with biodiversity, and are encouraged to substitute them with GMO protected by intellectual property. Furthermore, there is a tendency to privilege those fruits and vegetables, which are more suitable for transportation and long-lasting freshness, in order to distribute good looking food to the supermarket chains. This process of food selection has reduced the spread of some traditional varieties of fruits and vegetables, which were less convenient, in order to respond to the needs of neoliberalism. Thus, a reconsideration of the advantages and disadvantages generated by the intellectual property treaties has to be made. The advantages generated for a relative small number of individuals have to be compared with the great amount of people, who, on the contrary, are affected by those regulations and by the ethically questionable biotechnologies. In fact, the patents on seeds, which activists, including Vandana Shiva, define as patents on life, have the tendency to

concentrate power and capitals, through monopolies based on cartels.

To summarize, the recognition of food sovereignty as a human right, would enable peoples to demand to States to respect, protect, and fulfill not only their right to adequate food, but also their right to have access to lands, territories, waters, seeds, livestock and biodiversity, in other words to a healthier environment.



## **SECOND PART**

### **THE NATIONAL LEVEL. THE ARGENTINE REPUBLIC AND ITS DOUBLE NATURE: THE INSTITUTIONAL FRAMEWORK AND THE AGRICULTURE SHAPED BY ECONOMIC POWERS**



## **Chapter 3**

### **Argentina: the institutional framework**

#### **3.1 The institutional framework and the legal bases to foster food sovereignty**

Argentina, as stated in article 1 of its 1853 Constitution, is a Federal Republic based on a representative democracy. In 1994, the Argentine Constitution was modified through the law Nº 24.430. This reform marked an important step in the recognition of the International Human Rights Law within the national borders. Indeed, articles 31 and 75 of the Constitution concern the hierarchy of the international treaties within the national law. In particular, the article 31 recognizes to the international treaties the same level of the supreme law of the Nation and forces all the Provinces to conform their legislation to the agreements signed with foreign countries.

Furthermore, article 75 emphasizes the importance of the International Human Rights Treaties within the Argentinian territory. In fact, it defines the National Congress' responsibilities and its active role in the recognition, protection, promotion, and fulfilment of the rights stated in the Constitution and in the adopted international treaties. More specifically, it remarks not only some civil, political, social, economic, cultural, and indigenous rights, but it also mentions explicitly the following treaties, which are considered at the same

hierarchical level of the Constitution: the American Declaration of the Rights and Duties of the Man; the Universal Declaration of Human Rights; the American Convention on Human Rights; the International Covenant on Economics, Social and Cultural Rights; the International Covenant on Civil and Political Rights and its Optional Protocol; the Convention on the Prevention and Punishment of the Crime of Genocide; the Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discriminations Against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the Convention on the Rights of the Child. This fundamental recognition of the International Human Rights Law, introduces, into the national legislation, the right to adequate food at the Constitutional level<sup>41</sup> through the ICESCR, the CEDAW and the CRC. Additionally, this right is also guaranteed by the ratification (June 30<sup>th</sup>, 2003) of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador).

Although, the global and regional recognition of the right to adequate food has become an integral part of the national level, the Argentine State has developed domestic legislation related to the right to adequate food, food safety and food security, adopting policies and establishing correlated institutions.

Firstly, food safety is guaranteed at the national level by the adoption of the Argentinian Alimentary Code (*Código Alimentario Argentino, CAA*), which became effective through the Law 18.284, implemented by the Decree 2126/1971. The CAA is a technical regulation constantly updated, which establishes the hygienical-sanitary, bromatological, and commercial standards that have to be respected, in order to protect the public health and to assure the

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<sup>41</sup> Argentina ratified the ICESCR on August 8<sup>th</sup>, 1986 and the OP-ICESCR on October 24<sup>th</sup>, 2011.

access to safe and quality food.<sup>42</sup> The National System of Food Control (*Sistema Nacional de Control de Alimentos, SNCA*), established by the Decree 815/1999, ensures the effectiveness of the CAA and is essentially composed by the following institutions, and the Provincial authorities along with the Gobierno Autónomo de la Ciudad de Buenos Aires are invited to integrate the system:

- *Comisión Nacional de Alimentos* (National Food Commission, CONAL), art. 5 Decree 815/1999;
- *Servicio Nacional de Sanidad y Calidad Agroalimentaria* (National Service of Food Safety and Quality, SENASA), Law 23.899, 1990;
- *Administración Nacional de Medicamentos, Alimentos y Tecnología Médica* (National Administration of Medicine, Food and Medical Technology, MANMAT), Decree 1490/1992.

Secondly, the Law 25.724, 2003 created the National Food and Nutrition Programme (*Programa de Nutrición y Alimentación Nacional*), which is coordinated by the National Food and Nutrition Commission (*Comisión Nacional de Nutrición y Alimentación*), composed by representatives of various Ministries (*Ministerios de Salud, de Desarrollo Social y Medio Ambiente, de Educación, de Economía, de Trabajo, Empleo y Formación de Recursos Humanos, de Producción*) and of accredited NGOs, along with Provincial and Municipal Commissions. As stated in article 1 of the Law 25.724, the Programme is created, in order to fulfil the State's duty of guaranteeing the right to food of all the citizens. In fact, the National Food and Nutrition Programme aims to give access to adequate food to some specific vulnerable categories, such as: children until fourteen years old, pregnant women, people with disabilities, and elderly people aged more than seventy years old in condition of poverty.

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<sup>42</sup> For further information, visit the Ministerio de Agricultura, Ganadería y Pesca website at the following link: Alimentos Argentinos, "Código Alimentario Argentino", <<http://www.alimentosargentinos.gob.ar/contenido/marco/marco2.php?secmarco=nacional>>, accessed on August 3<sup>rd</sup>, 2015.

Thirdly, the Ministry of Agriculture, Livestock and Fishery (*Ministerio de Agricultura, Ganadería y Pesca*, MAGyP) has been particularly active on two fronts. If on one hand, the Argentinian Government has opened its territory to the GMO and extensive agriculture since the Nineties; on the other, it has tried to avoid the complete disappearance of traditional small farmers, through the implementation of several programmes directly addressed to them. In fact, at the national level, various institutions are in charge of the management of the MAGyP's programmes, among the others, two are specifically concerned with rural development: the *Instituto Nacional de Tecnología Agropecuaria* (National Institute of Agriculture and Livestock Technology, INTA), and the more recent *Unidad para el cambio rural* (Rural Change Unit, UCAR).

The INTA, was created on December 4<sup>th</sup>, 1956, by the Decree-Law 21.680/56 and has played a leading role in the development of agricultural technology, with the exception of a period of decentralization of its functions during the Eighties, finished thanks to the Law 25.641 (September 11<sup>th</sup>, 2002), which re-established its original responsibilities.

Then, the UCAR, funded by Resolution 45/2009, directs the MAGyP's external financed programmes and projects, and contributes to the reactivation of the agricultural and livestock sectors, along with the fair development of the rural areas.

Considering its relevance, the INTA, as part of the MAGyP, has the same double nature: on one side, it contributes to the development of extensive agriculture; on the other it support small farmers. Among the programmes that the INTA has carried out since the end of the Eighties, it is worth to mention the followings:

- *Programa Minifundio* (Smallholding Programme, 1987);
- *Programa Pro Huerta* (Programme in support of vegetable gardens, 1990);

- *Programa Cambio Rural*, (Rural Change Programme, 1993), *Programa Cambio Rural II, Innovación e Inversión* (Rural Change Programme II, Innovation and Investment, 2014);
- *Programa para Productores Familiares* (Family Farmers Programme, PROFAM, 2003);
- *Programa Federal de Apoyo al Desarrollo Rural Sustentable* (Federal Programme to support sustainable rural development, ProFeder, 2003)<sup>43</sup>.

All these programmes are based on participatory processes, and try to develop a network among peasants. They are demand-based, thus they are usually activated when there is a call of interest from farmers. However, this aspect is not always optimal, because the most marginalized peasants often ignore the existence of these supportive programmes.

Then, there are some leading cases, which were directly connected with agriculture. Thus, to protect the public health and the environment, some restrictions to the extensive cultivations were imposed. In particular, the precautionary principle was appealed. Indeed, in the Province of Santa Fe, the San Jorge case law deserves to be mentioned.

San Jorge is a town with a population of around 25,000 inhabitants, situated at 144 kilometers from Santa Fe – Capital. In this zone the soybean cultivations are largely spread, and located at the limits of the urban area. Here, Viviana Peralta, one of the victims of the glyphosate fumigations, decided to denounce the suffered damages. She was supported by the CeProNat (Centro de Protección a la Naturaleza), and, with other victims, they presented a legal action, in order to reclaim their right to health, in 2009. This case has two main aspects that revolution Argentine jurisprudence.

Firstly, in contradiction with the previous jurisprudence, the victims did not

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<sup>43</sup> To further information about these programmes, see Annex 1.

need to prove their suffered damages, but the accused parts (the producers, the Municipality, and the Provincial Government) had to demonstrate that substances employed in farming were harmless to human health and environment.

Secondly, the precautionary principle was appealed in a case related to pesticides and human health, while article 4 of the National Environmental Law defines the precautionary principle as applicable when there is a danger of severe and irreversible damage, or a lack of information or scientific evidence on the consequences on environment.

Afterward, the parts failed to show evidence of the inoffensive nature of the substances used in the soybean fields, and the final decision arrived in 2011.

The judge Tristán Régulo Martínez confirmed the outcomes of the preceding instances: the pesticide fumigations have been forbidden if they occur at a distance of less than 800 meters (by land) and of less than 1500 meters (by air).

The sentence gave hope to the victims of fumigations, and activists, included the CeProNat, have started campaigns to advocate against the usage of glyphosate<sup>44</sup>. However, until the present, the substance is employed without any particular restrictions in the other parts of the country.

Finally, the promulgation of the Law 27.118 on January 20<sup>th</sup>, 2015 changed the Argentine scenario related to agriculture.

### ***3.1.1 The new Law 27.118 on family farming: a new scenario for agriculture in Argentina***

The law on the *Historical reparation of the family farming to the construction of a new rurality in Argentina (Reparación histórica de la agricultura*

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<sup>44</sup> More details on the employment of pesticides in farming are given in the following chapter.



*familiar para la contrucción de una nueva ruralidad en la Argentina*)<sup>45</sup> opens a new scenario in the development of agriculture within the country.

First of all, its article 1 declares family, peasant and indigenous farming a matter of public interest, because they contribute to food security and sovereignty, promote lifestyles and ways of production, which preserve biodiversity and sustainable patterns of manufacturing.

The recognition of small farmers' role is an important step taken by the State, in order to respect, protect, and fulfil not only the right to adequate food, but also to preserve the capacity of the country of producing food in a sustainable manner. Additionally, the explicit mention of food sovereignty shows that this concept, shaped by the civil society, is finally entering into the government's terms, giving hope for further recognition of the right to food sovereignty both at the national and at the regional level.

In fact, at the national level, other resolutions previously introduced the concept of food sovereignty within the national legislation. In particular, both the MAFyP Resolution N° 297/2010 - *Apruébase el Programa Nacional de Lechería* and the subsequent N° 505/2010 - *Sustitúyese el Anexo de la Resolución N° 297/10 por la cual se aprobó el Programa Nacional de Lechería* on the National Dairy Plan include the guarantee of food sovereignty in their objectives.

Concerning family farming, the legal framework for the approbation of the more recent law 27.118 was disposed by Resolution N° 8/2008 - *Apruébase el Plan de Apoyo a Pequeños y Medianos Productores* of the Secretary of Agriculture, Livestock, Fishery and Food (Secretaría de Agricultura, Ganadería, Pesca y Alimentos, SAGPyA) on a Support Plan for small and medium producers, and its amendments; and by the SAGPyA's Resolution 132/06 related to the creation of the Federation of Family Farming Organizations (Federación de Organizaciones Nucleadas de Agricultura Familiar, FONAF) , which promoted a

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<sup>45</sup> For the full text of the law 27.118, see Annex 2.

participatory rural development since 2004.

At the regional level, indeed, the Latin American Parliament (Parlatino) has already approved in its XVIII Ordinary Assembly (November 2012) the Framework Law related to the Right to Food, Food Security and Food Sovereignty (Ley Marco Derecho a la Alimentación, Seguridad y Soberanía Alimentaria)<sup>46</sup>. The Framework Law states in article 1, that those countries, which have already adopted the concept of food sovereignty, will adjust the objective of the law. In other words, this legislative framework, which aims to promote the establishment of national policies and strategies to guarantee the right to food (adjusted as food sovereignty when applicable) in the region, implicitly recognizes the advancement of the concept of food sovereignty, when compared with the right to food.

Then, the fact that other countries in the Latin American Region, i.e. Bolivia<sup>47</sup> and Ecuador<sup>48</sup>, have already recognized food sovereignty and nature's rights create a framework where it seems to be possible a further establishment

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<sup>46</sup> For the full text of the law, Food and Agriculture Organization, "Ley Marco Derecho a la Alimentación, Seguridad y Soberanía Alimentaria", <[www.fao.org/fileadmin/templates/righttofood/documents/project\\_m/doc/Ley\\_Marco\\_DA\\_Parlatino.pdf](http://www.fao.org/fileadmin/templates/righttofood/documents/project_m/doc/Ley_Marco_DA_Parlatino.pdf)>, accessed on August 26<sup>th</sup>, 2015.

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- Ley n. 071 de 21 de diciembre de 2010, Ley de Derecho de la Madre Tierra;
- Ley n. 300 de 15 de octubre de 2012, Ley marco de la Madre Tierra y Desarrollo Integral para Vivir Bien;
- Ley n. 338 de 26 de enero de 2013, Ley de Organizaciones Económicas Campesinas, Indígena Originarias - OECAS y de Organizaciones Económicas Comunitarias - OECOM para la Integración de la Agricultura Familiar Sustentable y la Soberanía Alimentaria.

<sup>48</sup>

- Constitution art. 12: El derecho humano al agua es fundamental e irrenunciable. El agua constituye patrimonio nacional estratégico de uso público, inalienable, imprescriptible, inembargable y esencial para la vida;
- Constitution art. 13.- Las personas y colectividades tienen derecho al acceso seguro y permanente a alimentos sanos, suficientes y nutritivos; preferentemente producidos a nivel local y en correspondencia con sus diversas identidades y tradiciones culturales. El Estado ecuatoriano promoverá la soberanía alimentaria;
- Constitution Chapter VII, Derechos de la naturaleza;
- Ley Orgánica del Régimen de la Soberanía Alimentaria (17 Febrero 2009); amended by Ley Orgánica Reformatoria a la Ley Orgánica del Régimen de la Soberanía Agroalimentaria (12 October 2010);

of correlated rights at the international level .

Moreover, the Latin American Region has already developed a wide cooperation related to the implementation of the right to food, and in some cases, to food sovereignty. For instance, Argentina, Venezuela and the Plurinational Republic of Bolivia, stipulated also the Cooperation Agreement on Food Security and Food Sovereignty (*Acuerdo de Cooperación en materia de soberanía y seguridad alimentaria entre la República Bolivariana de Venezuela y la República Argentina*) in 2008. This agreement represents an attempt to initiate an institutional framework to cooperate, in order to guarantee food security and food sovereignty within the State parties.

However, the law n. 27.118, goes further than the previous national legislation adopted in Argentina and states its goals in article 3, such as:

- a. to promote human development in harmony with the nature, in order to achieve the Living-Well (*Buen Vivir*);
- b. to adopt a positive discrimination approach with a productive focus based on sustainable rural development, in order to support backwardness regions;
- c. to contribute to food security and food sovereignty through livestock and agriculture;
- d. to promote biodiversity conservation and improve the quality of natural resources, through sustainable exploitation;
- e. to recognize the worth of economic, environmental, social and cultural manifestations of national agriculture;
- f. to value family farming, as a priority in the implementation of public policies;
- g. to promote the development of rural areas, recognizing and consolidating family farming as the main social character in the rural space. In particular, considering rural development as a transforming and organizing process of the

territory, realized through rural communities' active participation and the interaction of the whole society;

h. to explicitly recognize the productive and life practices of the indigenous communities.

These general objectives contribute to the implementation of food sovereignty; in particular, the definition of rural development as an output of a participatory process creates the legal framework to give the possibility to small farmers to raise their voice, along with the society which may have suffered the consequences of the introduction of extensive agriculture. Additionally, the *Historical reparation* law adopts a gender perspective in its articles 4.c, 4.d. More specifically, these statements establish a non-discriminatory guideline, instead of embracing an integral gender mainstreaming, and invite the policy makers to take into consideration women needs, while designing programs. However, this law does not explicitly define which measures should be adopted, in order to foster women social mobility. This lack of a determined blueprint, on one side might offer flexibility in project management; on the other, may show a limited knowledge of rural gender dynamics and weak willingness of the Government to take action, in order to deconstruct those roles played in the traditional rural family, which often enclose women in subordinate positions.

Then, the non-discriminatory principle is implicitly recalled in article 4.j, which includes within the specific objectives of the law, the implementation of actions addressed to indigenous peoples and their communities. Even in this case, the vagueness of the statement increases the risk of remaining dead letter.

Nonetheless, the relevance of this law is evidenced by the attention given to the empowerment of right holders. Indeed, the specific objectives and their further correlated articles, along with Title VI, concerning education, formation and capacity building, provide the legal bases to guarantee to food producers the effective management and access to land, water, natural resources, seeds,

livestock and biodiversity; to foster cooperation among rural stakeholders; to develop and strengthen participative institutions at all levels, oriented to plan, monitor and evaluate local development policies, programs and actions; to promote integral and sustainable development through infrastructures, supplies, credits, capability services and technical assistance; finally, to elaborate rural educational proposal through the MAGyP and the Ministry of Education.

Furthermore, the law 27.118 confirm the employment of the National Registry of Family Farming (Registro Nacional de Agricultura Familiar, RENAFA), established by Resolution Nº 255/07, through the incorporation of the Mercosur Resolution 25/07. All those stakeholders defined by article 5 of the law, who are willing to enjoy the benefits originated by the historical reparation law, should register themselves in the RENAFA.

Then, this law establishes new institutions, such as: the Land Bank for Family Farming (Banco de Tierras para la Agricultura Familiar); and the Native Seed Production Centre (Centro de Producción de Semillas Nativas, CEPROSENA) with the goal of registering, producing and supplying native and creole seeds.

Finally, the Government commitment on the implementation of this law, is confirmed by the approbation of Resolution Nº 419/2015 - *Creación del Sello "Producido por la Agricultura Familiar"*, of July 6<sup>th</sup> 2015, on the creation of the family farming stamp, which is supposed to certify those products coming from small farmers. The goal of this resolution, as stated in article 1, is to strengthen the visibility, to inform and to make concrete the significative family farming contribution to food security and sovereignty.

However, the innovative impact of this law is limited by the terminology used. Indeed, it refers to *family farming*, without specify the definition of the term "family", and eventually excluding all those smallholders who are not officially recognized as a family. For instance, if a couple of rural farmers is not married, can they enjoy the benefits generated by this law? Additionally, the

terminology recalls the colonial past, where huge estates belonged to coloners organized in traditional catholic families. To refer to smallholders or peasants would probably have established more inclusive practices.

In conclusion, the law 27.118, which prioritizes agroecological farming, represents a significant step from the part of the Argentine Government, in order to change the current situation. Indeed, starting from 1996, the traditional farming seemed to play a marginal role in the Government's strategies, which were allowing the development of extensive agriculture, mainly addressed to the external market.

## **Chapter 4**

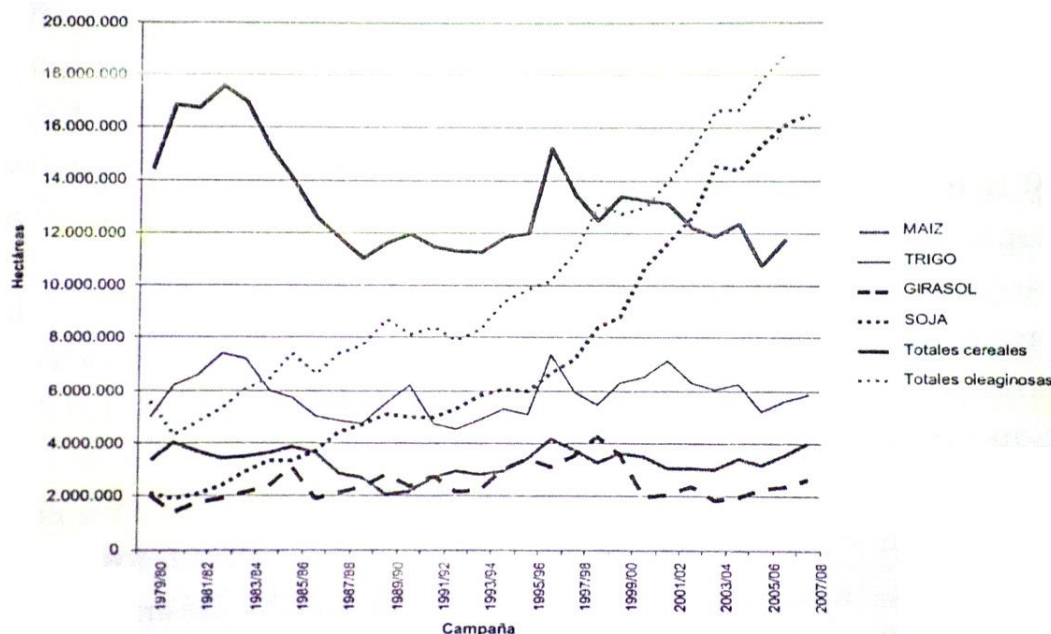
### **Argentina: Food sovereignty at risk**

#### **4.1 The soybean monoculture: a threat to food sovereignty**

In 1996, the first genetically modified (GM) soybean, resistant to the glyphosate weedkiller, was introduced in Argentina. Since then, the soy production has steadily increased, particularly in the Pampas region, and has dramatically altered the Argentine territory and society. The soybean cultivation tendency started during the Seventies when a strong international demand for soy derivatives, necessary for the production of oil and pellets (feed animal compounder), arose. Additionally during this time, the complementarity cultivation of soybeans with the Mexican wheat germplasm, allowed for the double exploitation of the same field in the same year, making soy cultivation particularly tempting for agricultural business. However, this annual combination of soy-wheat farming rapidly damaged the soil's fertility (lack of phosphorus and nitrogen). Consequently, the fertility, that was previously guaranteed by traditional polyculture, was regenerated through the utilization of fertilizers. The superphosphate simple (SPS), is the main fertilizer used in soy fields, containing high levels of phosphorus, sulphate and calcium. According to Barsky and Gelman, fertilized areas increased from 93,000 hectares in 1977 to 1,902,000 in

1985<sup>49</sup> and the quantity of fertilizers employed rose from 82,000 tons in 1970/1971 up to 2,570,000 tons in 2004/2005<sup>50</sup>.

**Graph 1. Evolution of the cereals and oil beans cultivated area 1979 – 2008**



Source: Brasky Osvaldo, Gelman Jorge, “Evolución de la superficie sembrada con cereales y oleaginosas”, in *Historia del agro argentino, Desde la Conquista hasta los comienzos del siglo XXI*, Editorial Sudamericana, Buenos Aires, 2009, p. 485.

Moreover, the GM soybean technological package included other elements such as pesticides. Indeed, the GM soybeans introduced in 1996 are resistant to glyphosate. Glyphosate was first discovered to function as an herbicide in 1970, by the organic chemist John E. Franz, while working at the Monsanto Company. Then, through genetic modifications, the soybean was manipulated in order to be resistant to this effective weedkiller. Franz, patented

<sup>49</sup> Brasky Osvaldo, Gelman Jorge, *Historia del agro argentino, Desde la Conquista hasta los comienzos del siglo XXI*, Editorial Sudamericana, Buenos Aires, 2009.

<sup>50</sup> “La fertilización en cultivos extensivos de la Región Pampeana Argentina: Aportes del INTA”, Gudelj Vicente, Galarza Carlos, Ferrari Manuel, Senigaglia Carlos, Berardo Angel, Darwich Néstor, Echeverría Hernán (edited by), in *INFOFOS Informaciones Agronómicas*, n. 30, <[www.ipni.net/publication/ialacs.nsf/0/530637DC95F65E7F85257995007A4800/\\$FILE/5.pdf](http://www.ipni.net/publication/ialacs.nsf/0/530637DC95F65E7F85257995007A4800/$FILE/5.pdf)>, pp.19-21, accessed on May 10<sup>th</sup>, 2015.



his various innovations related to glyphosate and the Monsanto Company was recognized as the assignee. As a result, Monsanto patented and started to commercialize Roundup, a post-emergence weedkiller, containing glyphosate, during the Seventies. The Roundup pesticides were sold together with GM soybeans. This technological package has been the most successful in the Argentine soy cultivation. Since the introduction of the GM soybean, the consumers of Monsanto's products have started to plant soy and use glyphosate increasingly. This phenomenon, boosted the profits of the main soy cultivators, but also, generated a dangerous dependency on the Monsanto Company. In fact, the patents have prohibited that Monsanto's customers reproduce the seeds, bought from this multinational corporation. Despite the presence of certain studies showing contrary results, in March 2015 the WHO's International Agency for Research on Cancer (IARC) classified glyphosate as, "probably carcinogenic to humans," and considering that herbicides, such as glyphosate and 2,4-D<sup>51</sup>, usually are emitted through aerial dispersion, creates an alarming scenario. Until the expiration of the pesticide patent in 2000<sup>52</sup>, the Roundup products, earned Monsanto around half of the company's total worth. Since then, the company has faced decreased earnings in the Roundup unit, due to market competition.

Furthermore, since the Sixties, important technological changes have been introduced in the Argentinian agriculture. The increased number of tractors and their improved efficiency, specifically marked at the end of the Eighties

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<sup>51</sup> 2,4-Dichlorophenoxyacetic acid, usually referred to by its abbreviation, 2,4-D, is another of the agROTOXINS used in soy cultivations and is one of the world's most widely used weedkillers (the second most used in Argentina). However, the Ministry of Production Resolution n. 135 of the Province of Santa Fe, published on March 25<sup>th</sup>, 2015, prohibited the use of the 2,4-D in its gas form and limited its application as dimethylamine (commonly sold in aqueous solutions) in the provincial territory.

<sup>52</sup> Cavallaro Matt, "The Seeds Of A Monsanto Short Play" in *Forbes*, published on June 29<sup>th</sup>, 2009, <[www.forbes.com/2009/06/29/monsanto-potash-fertilizer-personal-finance-investing-ideas-agrium-mosaic.html](http://www.forbes.com/2009/06/29/monsanto-potash-fertilizer-personal-finance-investing-ideas-agrium-mosaic.html)>, accessed on May 17<sup>th</sup>, 2015.

(175,000 tractors with thirteen million horsepower)<sup>53</sup>, caused the reduction of human labour in the rural sector and redefined and homogenized the cultivation. The introduction of processes such as direct seeding in the Nineties, created a need for expensive technologies and the development of a new model in the rural division of work. Consequently, the increasing prices of these new agricultural technologies became unaffordable to the existing farmers and attracted financial investors with the sufficient capital to purchase the lands and machineries. The sowing pools (*pooles de siembra*), an association of speculative investment funds, which appeared during the Nineties, in particular «during the period of high prices in 1996 and 1997, [...] some twenty administrations, each with a production of between 10,000 and 50,000 ha, were established»<sup>54</sup>. This agricultural system of production has been adopted with the intention of maximizing profits, utilizing an economy of scale, and reducing climate and price risks, through geographical and crop diversification. Moreover, a sowing pool is an association of investors, which provide financial, commercial and agronomic management of the large-scale production of cereals. The actors, which take part in this system, are investors, administrators, landowners, and contractors, while traditional farmers are generally excluded. This new configuration of the rural business has favoured the concentration of financial capitals and the reduction of small farms. Despite the sowing pools' temporary disappearance after Argentine economic crisis in 2001, their recent return can be attributed to the country's re-established economic stability.

This is not to say that the sowing pool's economic achievements are exempt from criticisms. In fact, this system has furthered the development of the soybean industry, which in turn has caused its own adversary effects. Among

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<sup>53</sup> Brasky Osvaldo, Gelman Jorge, *op. cit.*, p. 434.

<sup>54</sup> *Fertilizer use by crop in Argentina*, Food and Agriculture of the United Nations, Rome 2004, available at Food and Agriculture website: <[www.fao.org/docrep/007/y5210e/y5210e00.htm#Contents](http://www.fao.org/docrep/007/y5210e/y5210e00.htm#Contents)> and <[www.fao.org/docrep/007/y5210e/y5210e0d.htm#bm13.2](http://www.fao.org/docrep/007/y5210e/y5210e0d.htm#bm13.2)>, accessed on May 25<sup>th</sup>, 2015.

them are not only the soil detriment; the negative effects glyphosate inflicts on human health and the environment; the financial capital concentration and the decreasing number of small farmers; but also, the loss of biodiversity<sup>55</sup>; the deforestation; the increasing influence of big economic lobbies on agriculture and livestock policies; and the rupture of social networks.

Indeed, the soybean monoculture not only has caused the reduction of traditional cultivations, which mainly concerned national consumption, but also diminished the variety of soybeans planted, due to its mass production and need for extensive farmland. Currently, 99%<sup>56</sup> of the soybeans farmed in Argentina are transgenic. In addition, due to the pesticides' high toxicity level the flora and fauna are consequently affected in two different ways: provoking morphological alterations and causing the extinction of some species. In fact, several studies<sup>57</sup> conducted on fumigated areas reported the malformation and/or disappearance of some insects and amphibian specimens. Though, the medium and long-term effects are currently unknown.

However, losing biodiversity means creating a more vulnerable environment and consequently raising its risk exposure. To epitomize, imagine that a new parasite, resistant to glyphosate, is able to attack the soybean RR. Potentially, the parasite could epidemically spread and destroy around 20.2 million hectares<sup>58</sup> of cultivated fields in Argentina, this goes without saying that

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<sup>55</sup> According to the UN Convention on Biological Diversity, art. 2, «"Biological diversity" means the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems. » When referring to "biodiversity" the author only intend the variability present in nature and not created through biotechnological modifications.

<sup>56</sup> Brookes Graham, Barfoot Peter, "GM Crops: the first ten years. Global socio-economic and environmental impacts", in *ISAAA Brief*, n. 36, Ithaca, New York, 2006.

<sup>57</sup> Amongst others, Lajmanovich Rafael C., Sandoval M. T., Peltzer Paola M., "Induction of mortality and malformation in *Scinax nasicus tadpoles* exposed to glyphosate formulations", in *Bulletin of Environmental Contamination and Toxicology*, Vol. 70, n. 3, Springer, New York, March 2003, pp. 612-618.

<sup>58</sup> The data corresponds to the soy fields in Argentina, according to the *Asociación de la Cadena*

the threat could diffuse to the close territories in Brazil and Paraguay.

Additionally, the spread of extensive agriculture, not only has substituted traditional crops, but also has reduced the surface once belonging to native forests. According to the data, during the Colonial Age, the forests occupied 170 million hectares, corresponding to 61% of the national territory, while autochthon woods only covered 33 million hectares in 2004<sup>59</sup>. This uncontrolled deforestation attributes to the reduction of biodiversity and has negative consequences on the regulation of temperatures, because trees absorb carbon dioxide, thus actively relieving the greenhouse effect. Moreover, forests play an important role in the regulation of the water cycle, considering the same surface area, a forest consumes more than 1200 mm of water per year, while a soybean field only absorbs around 400 mm per year<sup>60</sup>. Furthermore, direct-seeding's beneficial characteristics such as, the accumulation of organic matter acquired through the decomposition of substances left over from previous crops, along with the optimization of water usage, are disputed by Miguel Pilatti<sup>61</sup>. Indeed, it is true that in directly seeded fields the decomposition of the organic matter is slower subsequently creating a higher level of microorganisms and a better quality soil. Through the traditional method of ploughing, a portion of these microorganisms is often lost due to air exposure. On the other hand, nutrients such as nitrogen needed by the plants originate from the decomposition of the organic matter and ergo, disappear through direct seeding process and are replaced through the use of high quantities of chemical fertilizers. Even if direct seeding improves water usage (compared to that of traditional farming), the soil still cannot retain water excesses as forests do. Actually, soy's roots penetrate

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*de la Soja Argentina*, <[www.acsoja.org.ar/](http://www.acsoja.org.ar/)>, accessed on June 10<sup>th</sup>, 2015.

<sup>59</sup> Marino Gustavo, "Los bosques nativos, otra alternativa sustentable", in *La Argentina de la soja*, ConCiencia, Universidad Nacional Del Litoral, n. 13, year 10, Santa Fe, August 2004, pp. 6-7.

<sup>60</sup> *Ivi*, p. 6.

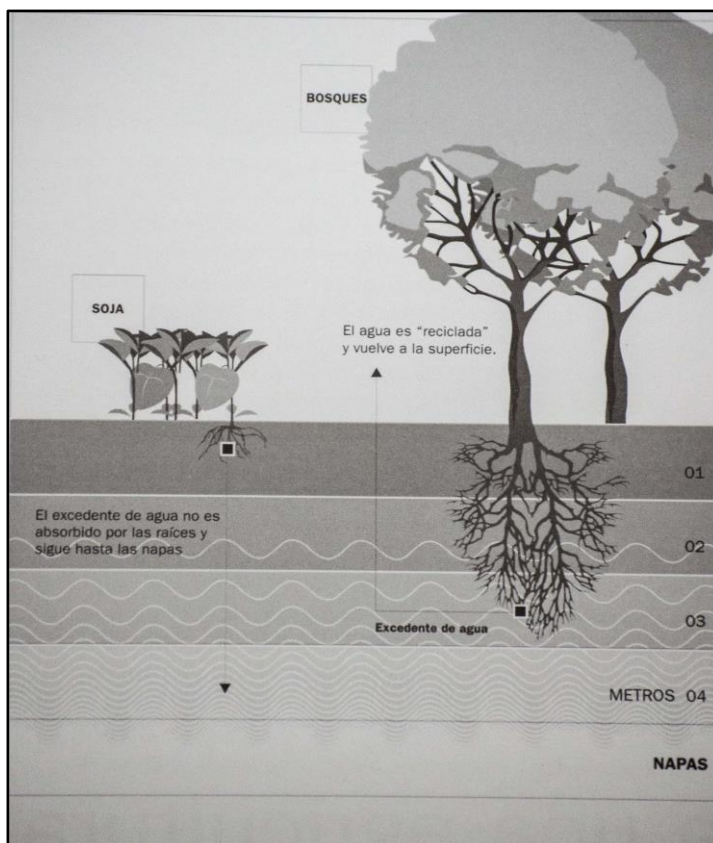
<sup>61</sup> For further information, Pilatti Miguel, "¿Alguien se acuerda del suelo?", in *op. cit.*, August 2004, pp. 8-9.

until 1.5-2 meters under the soil's surface, while trees' roots infiltrate up to three meters. These longer roots are able to tap into the subterranean water supply, and in the presence of excess water this long root system allows a large absorption of water, which actively prevents flooding. While superficial roots, such as those of soy, are unable to reach these underground water basins, creating an increased threat of inundations.

The diffusion of extensive monocultures, such as soy, wheat, sorghum, corn and sunflower seeds has forced traditional small farmers to abandon their lands or created a dependency on multinational corporations' technological packages. On one hand, the new technologies used in the mass agricultural

production have reduced the need for manpower; on the other hand, the new tools' higher costs have left those farmers who could not afford the expenditure on the side-lines. Consequently, when agricultural workers started to lose their revenues, they began to move to the cities, causing an unplanned expansion of the

**Image 1. Water dynamics**



Source: Brasky Osvaldo, Gelman Jorge, Pilatti Miguel, "Dinamicas de agua", in "¿Alguien se acuerda del suelo?" in *La Argentina de la soja*, ConCiencia, Universidad Nacional Del Litoral, n. 13, year 10, Santa Fe, August 2004, pp. 8-9.

urban zones, which were not ready to receive this wave of unskilled laborers. This internal displacement contributed to the expansion of poor and marginalized neighborhoods in Argentine cities, and, this rapid urbanization has called for the construction of precarious dwellings, which often do not have access to basics services such as potable water. The rapid cities' growth and the absence of solid State's policies have generated severe social problems. Amongst them, the amplification of individualism has caused the rupture of social networks both in the cities and in the countryside. The perception of insecurity has augmented especially in the urban area, and this is evident when looking at the downtown buildings, which are enclosed by antitheft gratings. Additionally, the activists, who work in marginalized areas, mark the difficulties of consolidating positive relations among neighbors<sup>62</sup>, while in the countryside fumigations create a conflict between fumigators and affected people.

This industrial cultivation is oriented to produce commodities, instead of food for direct consumption. Consequently, this system forces the country to lose its capacity of food sovereignty, and makes it fragile, because of the dependency on external demand and the capitals' concentration.

Considered the various disadvantages involved in the industrial food production, the reasons for maintaining this model of farming are mainly related to the strong profits it generates. If Monsanto controls 91% of the world GM soybeans<sup>63</sup> and gains thanks to the propriety of biotechnological innovations related to seeds and weedkillers (in some countries it sells directly the technological package, in others Monsanto gives its license to seed companies), other corporations earn from soybeans manufacturing.

According to the Consejo Latinoamericano de Ciencias Sociales' (CLASCO)

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<sup>62</sup> These matters are examined in depth in the SWOT analysis below.

<sup>63</sup> *Los señores de la soja – La agricultura transgénica en América Latina*, (edited by) Bravo Ana Lucía, Centurión Mereles Higo Florencio, Domínguez Diego Ignacio, Sabatino Pablo, Poth Carla Mariela, Rodríguez Javier Leonel, (introduction) Bravo María Elizabeth, CLASCO, Buenos Aires, 2010, p. 17.

investigations<sup>64</sup> four multinationals companies are the main beneficiaries of the soy commerce: ADM, Bunge, Cargill and Louis Dreyfuss Commodities. They control the 43% of the soybean oil manufacturing in Brazil and the 80% in the European Union, while they dominate the 75% of the United States soy market. ADM, Bunge and Cargill are estimated to « [...] control nearly three quarters of the global market in soya»<sup>65</sup>.

Firstly, ADM manufactures all the soybean derivatives, it is importer, exporter, and the major producer of soy lecithin. However, its role is not limited to the economic sector. In fact, it is one of the main sponsors of US electoral campaigns, thus it can exercise a strong influence on the political bodies.

Secondly, Bunge is the main world manufacturer of soy oil and it works approximately in forty different countries. As stated in its website, the company carries out the following activities:

- originating oilseeds and grains from the world's primary growing regions and transporting them to customers worldwide;
- crushing oilseeds to make meal for the livestock industry and oil for the food processing, food service and biofuel industries;
- producing bottled oils, mayonnaise, margarines and other food products for consumers;
- crushing sugarcane to make sugar, ethanol and electricity;
- milling wheat and corn for food processors, bakeries, breweries and other commercial customers; and
- selling fertilizer to farmers.<sup>66</sup>

Then, Cargill, which was established in 1865, is still the world's largest private company. According to its website, Cargill's revenues were about \$134.9

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<sup>64</sup> *Ibidem*, pp. 20-21.

<sup>65</sup> Lawrence Felicity, *Eat your hearth out, Why the food business is bad for the planet and your health*, Penguin Books, London, 2008, p. 261.

<sup>66</sup> Bunge official website, "Bunge is a leading agribusiness and food company with integrated operations that circle the globe, stretching from the farm field to the retail shelf", *Company: About Bunge*, <[www.bunge.com/About-Bunge](http://www.bunge.com/About-Bunge)>, accessed on July 13<sup>th</sup>, 2015.

billion in 2014<sup>67</sup>. As a family-owned business, it is not legally bound to publicize its financial accountability. Thus, it would be easy for Cargill to elude royalties through a complex system of subsidiaries based offshore in low tax areas. Furthermore, this corporation was accused of commercializing soybeans cultivated by slaves in the Brazilian Amazon, and its environmental impact on the Amazon was called into question by the Brazilian State, and by Greenpeace. In fact, the NGO's 2006 campaign against Cargill achieved notable results. Hence, McDonald's *in primis*, which had already experienced the power of raising public awareness with the McLibel case<sup>68</sup> and frightened by a new customers' reaction, put pressure on Cargill to consider its social responsibility. Other big companies, such as: «Asda-Walmart, Lidl, Marks&Spencer, Morrisons, Sainsbury's, Tesco, Waitrose and Alpro, makers of soymilk, all made their concerns known to their suppliers»<sup>69</sup> and called for a fairer production. They obtained positive results: the big soy corporations agreed to refrain from buying soybeans cultivated in illegally deforested areas.

Finally, the Louis Dreyfuss Commodities is present in more than one hundred countries, and, they have been developing their business «[...] in the South & West Latin America region through the integration of [our] their origination, logistics, shipping and industrial processing activities and diversification into Rice, Cotton, Fertilizers, Seeds and Metals»<sup>70</sup>.

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<sup>67</sup> Cargill website, "Cargill reports fourth-quarter and full-year fiscal 2014 earnings", published on August 7<sup>th</sup>, 2014, <[www.cargill.com/news/releases/2014/NA31671868.jsp](http://www.cargill.com/news/releases/2014/NA31671868.jsp)>, accessed on July 16<sup>th</sup>, 2015.

<sup>68</sup> Helen Marie Steel and David Morris are two environmental activists, who distributed leaflets saying that McDonald's was guilty, among others, of torture and cruelty on animals, workers exploitation, deforestation, etc. The case caused serious damages to the fast-food multinational's public image. For further information: BBC News, "McLibel: Longest case in English history", available at <[news.bbc.co.uk/2/hi/uk\\_news/4266741.stm](http://news.bbc.co.uk/2/hi/uk_news/4266741.stm)>, published on February 15<sup>th</sup>, 2005, accessed on July 18<sup>th</sup>, 2015.

<sup>69</sup> Lawrence Felicity, *ibidem*, p. 280.

<sup>70</sup> Louis Dreyfuss Commodities official website, "South and West Latin America", <[www.ldcom.com/global/en/our-business/regional-footprint/south-and-west-latin-america/](http://www.ldcom.com/global/en/our-business/regional-footprint/south-and-west-latin-america/)>, accessed on July 17<sup>th</sup>, 2015.



According to CLASCO's investigations, the four giant companies control the 78% of wheat, the 97% of corn, the 71% of soy flour, the 95% of soy oil, and the 97% of sunflower oil exportations in Argentina. These huge *factotum* corporations have also big interests in the shipping and distribution of their production from a continent to the others.

In conclusion, the soybean production established in Argentina, particularly in the analysed territory of the Province of Santa Fe, is not sustainable.<sup>71</sup> The commodities cultivation requires significant economical investments. Consequently, this system stimulates the concentration of capitals, the intervention of transnational corporations, and reduces the labor demand. Additionally, the consolidation of the dependence from the external demand induces to a neo-colonial economy, which maintains an asymmetric equilibrium. Finally, the extensive agriculture has negative consequences on the traditional social networks, which are threatened by the conflicts emerged both in the cities and in the countryside. As noted Mariastella Svampa, in «*Consenso de los Commodities*» y lenguajes de valoración en América Latina, the Latin American region passed from the *Washington consensus* to the *Commodities consensus*. This phenomenon represents a regressive dynamic, where South America is forced again to sell raw materials whose prices are established at the international level. That means, in terms of agriculture, to slow down the development of sustainable cultivations, which could eventually respond to the internal demand, and to oppose the consolidation of food sovereignty.

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<sup>71</sup> Svampa Mariastella, ««*Consenso de los Commodities*» y lenguajes de valoración en América Latina», Nueva Sociedad, n. 244, Buenos Aires, March-April 2013.



## **THIRD PART**

### **THE LOCAL LEVEL. SANTA FE DE LA VERA CRUZ, A CASE STUDY**



## **Chapter 5**

### **SWOT analysis: strengths, weaknesses, opportunities and threats in the territory of Santa Fe de la Vera Cruz**

#### **5.1 Research assumptions**

The situation of Argentina clearly shows the contradictory nature of its institutional framework. If on one hand, the countryside is plastered by Monsanto's RoundUp campaigns, on the other, a wide range of national programs sustain small farmers. Indeed, there are multiple powers, which exercise their influences on institutions.

The complexity of reality is reflected within the institutions correlated to agriculture. In particular, within the INTA policies, it is possible to observe how on one side, it allows the existence of the unsustainable monocultures; on the other it tries to finance small farmers damaged by agribusiness, or to re-establish traditional agriculture that eventually almost disappeared after about twenty years of GMO cultivation.

Indeed, the institutions can not ignore the strong economic power exercised by big corporations and foreign capitals. However, if at a first look, income is generated thanks to the exportation of commodities, the externalities

of extensive monocultures, which have consequences on human health and environment, have to be kept in mind.

This SWOT analysis is the result of a field research lasted three months, along with bibliographical investigation.

The geographical area considered corresponds to the Province of Santa Fe. More specifically, Santa Fe - Capital and its neighborhoods were at the center of the analysis, considering that the stakeholders interviewed were based mainly in this zone. The idea was to identify those civil society movements that resist to the expansion of monocultures and propose sustainable food production, addressed to feed the local population.

## **5.2 Methodology of the SWOT analysis**

Qualitative methods were adopted to conduct this SWOT analysis. The intention is to present a case study where civil society movements organized themselves, in order to oppose agricultural practices imposed by external powers, which represent a threat to food sovereignty.

In particular, in-depth interviews were employed, both structured and semi-structured. In the initial research plan the interviews had to be carried out orally. However, this was not possible in all the cases, as a consequence some interviews resulted in written open questions. The field research had to last three months (from April to June 2015), though some of the open questionnaires were sent back later by the selected stakeholders. Thus, the data collection ended on September 15<sup>th</sup>, 2015 with the last answers received.

The flexibility offered by qualitative methods was an advantage for the scope of this study. In fact, the possibility to adjust the research plan during its development opened up the opportunity to include in the analysis actors not considered previously. Additionally, the position of the researcher, who entered

in the context as an external element, was unfavorable to have access to information, and consequently to select a suitable qualitative sample. Thus, to adapt the study, according to the elements discovered during the research, was a fundamental factor, in order to obtain satisfactory results.

However, qualitative investigations do not produce generalizable conclusions. Hence, the outcomes of this SWOT analysis represent a fragment of reality in limited time and space.

### **5.3 The selection of the territory and of the stakeholders to interview**

The territory of the Province of Santa Fe was selected because it is situated in the center of the humid Pampas region in the North East of Argentina, where most of the Argentine soybean cultivations are concentrated. It is surrounded by the Provinces of El Chacho (North), Corrientes and Entre Ríos (East), Buenos Aires (South), Córdoba and Santiago del Estero (West).

The interviewed stakeholders, representing civil society organizations, were mainly active in the area of Santa Fe de La Vera Cruz, better known as Santa Fe - Capital, and they were selected to be part of this study, because of the relevance of their contribution to food sovereignty, or at least to a better quality agriculture, within this territory. Considered the relevance of its role in agriculture, the INTA was included in the planned interviews.

#### **5.3.1 Identities**

The following organizations were considered for the purposes of this study and the descriptions are based on the auto-definition that each organization gave of itself at the moment of the interview.

*Red de Abogadxs de Pueblos Fumigados (RAPF):*

The *Red de Abogadxs de Pueblos Fumigados* (Lawyers of fumigated

villages' network) is a group of lawyers from the soy-growing heart of the country: the Provinces of El Chaco, Entre Ríos, Córdoba, Santa Fe, and Buenos Aires. It was founded on a call from the NGO TRAMAS and the CeProNat, during the debate forum on the agroindustrial model, organized by the Environmental Commission of the bar association of Rosario, in December 2012. According to their declarations, the network was structured, in order to establish a space for largely debating the existing agricultural model imposed in the Argentinian food production. The main goals of the organization are to respond to those people damaged by the contaminating agriculture, and to make the society aware of existing sustainable models of food production, such as: organic, biodynamic or agroecological farmers.

Since the beginning, the network tried to establish an ideal place where lawyers could stay in touch and share jurisprudential knowledge, in order to try to tutelate those citizens' rights violated by the effects of extensive polluting agriculture. The RAPF was born following the example of the *Red Nacional de Médicos de Pueblos Fumigados* which is a similar network, but composed by doctors.

At the moment the RAPF members generated doctrine and jurisprudence, through collective and individual actions, strictly related to community life, human health and healthy environment.

The complaint protocol was the first action realized. It aims to offer to citizens a concrete tool to immediately protect themselves, when an illegal fumigation, or a similar situation causes rights violations. Additionally, the network advocates for those collective rights, which are currently affected by the multinationals' technological packages and correlated food production. The RAPF denounces the governmental inefficiency in protecting collective goods which belong to present and future generations.



*Centro de Protección a la Naturaleza (CeProNat):*

The Centro de Protección a la Naturaleza (Center for the protection of nature) is a non-profit organization formed by citizens concerned with the impact of human activities on people and environment. According to the representatives declarations, its main goal is to re-establish the harmony between Nature and Society. The Center, created in 1977, is one of the first Argentine non-governmental organizations devoted to flora and fauna preservation. During these years of activity the CeProNat developed its guidelines and embraced concepts which consider human beings as operating actors in environmental changes. Thus, other visions were incorporated to the initial intentions. In fact, the CeProNat's representatives, when interviewed, mention some works as inspiring, such as: Programme Man and the Biosphere UNESCO's Programme; Small Is Beautiful: A Study of Economics As If People Mattered by Ernst Friedrich Schumacher; and Silent Spring by Rachel Carson.

To achieve its goals, the CeProNat has developed educational activities, proposed law and law reforms, organized meetings with policy makers, and led direct actions when necessary. Additionally, it has accomplished the establishment of a nursery to grow autochthone plant species and a vegetable garden model.

*La Verdecita:*

*La Verdecita* is a social organization which functions as umbrella for various initiatives. The elements which compose the framework of *La Verdecita* are the farm *La Verdecita*, the *Escuela Vocacional de Agroecología* (Vocational School of Agroecology, E.V.A.), and the Consortium of small rural farmers.

It was founded in 2004 by feminists activists which obtained, from an international grant, the funds necessary to buy a farm (now called *La Verdecita*) in Santa Fe de La Vera Cruz, just outside the urban area.

However, its origins are dated back in the Nineties. Indeed, part of the founders of La Verdecita, were already working together in other feminists movements. They are women with an urban background, which have decided to devote their lives to advocate against the imposed system of food production. As they point out during the interview, their project does not only imply advocacy, but also the putting into practice of the theories they support. After the establishment of the farm, the initial group of women started to create a network with the farmers who were living in the surrounding area. At the moment of the interview, the Consortium of small rural farmers, which had not a legal personality, was composed of almost one hundred family farmers mainly Bolivians.

The E.V.A. is an informal school which aims to establish democratic praxis within agroecological practices, and wants to spread traditional sustainable agriculture . Differently from the La Verdecita network, it has a recognized juridical personality.

*Programa de Extensión - Conectate con Alto Verde:* The Universidad Nacional Del Litoral (UNL), which is the National Public University based in Santa Fe - Capital, supports programmes called *Programas de Extensión* (extension programmes). These aim to connect students (and the academic world in general) with the civil society. They generally consist in voluntary services offered by the students to vulnerable groups or individuals. In this way students can practice the acquired knowledges and provide expertise to those people who cannot afford the costs of private consultancy. Among the projects of the UNL, one is the *Conectate con Alto Verde* (Connect with Alto Verde). Alto Verde, is a marginalized area in Santa Fe - Capital, geographically situated on the Sirgadero island. This area has been urbanized for about 100 years and, at the present, around 8000 people live there. However, its conditions are precarious. Indeed, it not only lacks of infrastructures and of safe dwellings, but also of basic services.

In fact, the municipality of Santa Fe started the integral project *Luz y Agua Segura* (Light and Safe water) in 2013, showing that access to electricity and to potable water was uncertain in Alto Verde.

The Conectate con Alto Verde project started in March 2010 thanks to the support offered by the Colegio Inmaculada de la Ciudad de Santa Fe, which was already working in the area, and which provided the physical space for running the activities in Alto Verde. Within this context three different sub-projects have been implemented: *Sanitario - Ambiental*, *Manos a la Huerta*, and *Educación No Formal*. For the purpose of this research, the project *Manos a la Huerta* (Hands in the vegetable garden) was particularly interesting. At the moment of the interview five students were dedicating their time to the project development. Some of them have worked in it since the beginning; others have joined the project later.

Indeed, *Manos a la Huerta* purposes to empower the families of Alto Verde through the cultivation of vegetable gardens, and to transmit the valuable principle of food sovereignty explaining the cultural, nutritional and economic benefits of farming your own vegetable garden. The seeds are provided by the INTA's Pro Huerta programme, but the students aim to create a network among the beneficiaries, where they can exchange seeds obtained from the plantations. Thus, they will no longer be dependent on the Pro Huerta.

According to the project outline, the ten families involved can acquire the knowledge necessary to establish their own vegetable garden, and profit of the network created in the neighbourhood. The people involved should write their observations about their farming on the *Libro Viajero* (travelling book), which is supposed to be passed from a family to the other, in order to share knowledge. The Mano a la Huerta project has also a common vegetable garden in Alto Verde. This small territory is owned by the Fundación Manos Abiertas, which also has a little house devoted to non-profit activities in the same place. In this piece of

land the volunteers organized a vegetable garden and a greenhouse (built in 2013), as a space addressed to meetings, education, trainings, which should bind neighbours through positive relations.

*Instituto Nacional de Tecnología Agropecuaria (INTA):*

The *Instituto Nacional de Tecnología Agropecuaria* and its projects related to family farming and rural development are presented in Chapter 3. At the local level, representative of the INTA Agencia de Extensión Rural Monte Vera (Rural Extension Agency of Monte Vera) were interviewed.

#### **5.4 SWOT analysis: Strengths**

The territory of Santa Fe de la Vera Cruz, despite the expansion of the urban zone, is surrounded by a green area (*cinturón verde*), which is situated before the extensive fields of soy. This area, threatened by the disorganized enlargement of the city and by the extension of soybeans cultivations, continues to represent an important productive space to farm vegetables to feed the urban population.

The presence of different civil society organizations which resist to the unsustainable food production system, in various ways, is strength in order to develop sustainable crops, and to guarantee human and environmental health. For instance, the CeProNat and the Abogadoxs de Pueblos Fumigados play a significant role in raising awareness and in offering a service to the victims affected by the fertilizers used in extensive farming, while La Verdecita gave birth to a network of peasants, which provides food from the producers directly to the consumers. In particular, La Verdecita achieved to establish a farmers' market which takes place every Saturday morning in the city center. In fact, the organization had to strive to obtain a public space where selling their products. In July 2014, La Verdecita was first allowed to organize its market in the square in

front of the provincial Parliament building (*Legislatura*), but after a few weeks the activity was banned by the local Government. However, it was re-established, (even if relocated in a less central area) thanks to the city dwellers' protests, which were willing to benefit from the new service offered by the civil society organization. The affordable system employed by *La Verdecita*, consists in selling directly the products to the consumers. Considering the costs of production and transport, a low price is possible, because the human capital who works during the market hours is not remunerated. Nonetheless, working as a network (*La Verdecita* is also part of a Provincial farmers' network) means that the producer A who, for instance, produces eggs and salad, while working in the market X, he/she sells not only his/her products, but also those of the farmer B, which is mutually doing the same in the market Y. The outcomes of this system are various. First of all, it creates solidarity links, which force farmers to cooperate. Consequently, peasants can easily take action together and raise their voice with a stronger power than the individual one. Secondly, the fact that the same producers have to travel to the city center, instead of selling the products to an intermediary which collects the crops in the rural areas, enable the capacity of the rural laborers. They have the opportunity to leave the enclosed environment of the farms, and talk directly to their consumers who provides precious feedback on what they would like to consume, and consequently on what peasants should cultivate. To leave occasionally from the rural environment is particularly important for women, who are often pent-up in a machista society, where they play a subordinated role. Thirdly, direct sales foster the diversification of the production, which had to respond to consumers' demand. Hence, diversification helps to reduce risks in terms of environmental impact. Thus, if catastrophes happen, there is an higher possibility to save a part of the crop when it is diversified. Finally, the market is supported by the INTA Programme ProFeder, and this collaboration with the governmental institutions

(La Verdecita participates also to other programmes such as: PROFAM; Pro Huerta; Cambio Rural II) generates positive relations for further partnerships. Through this programme La Verdecita does not manage directly the funds, but obtains materials (i.e. tables, fliers, etc.) useful for the organization of the fair market. The agroecological approach (this agroecological project is not fully realised, because not all the materials used in the production are self-produced and because the producers often are not the owners of the lands) adopted by these farmers generates high quality products (i.e. vegetables, eggs, jams, creams, etc.) cultivated or re-elaborated without noxious chemical pesticides or fertilizers. Additionally, the internal organization of La Verdecita, which approves decisions exclusively in its assembly meetings, boosts democratic practices and give the opportunity to those people who have the habits to play a subordinate role, such as women and Bolivians, to familiarize with their freedom of expression. Then, the E.V.A. contributes to capacity building through workshops. The Programa de Extensión - Conectate con Alto Verde has a minor impact if we consider the city as a whole, because its work is focused on a marginal neighborhood of Santa Fe - Capital. However, thanks to their activities a vegetable garden model has been created, and the families who take part to the project could plant their own vegetable gardens, making themselves less dependent from food sales. The Manos a la Huerta project is supported by the INTA, which provides seeds, through the ProHuerta programme. The project has initially provided technical assistance. During weekly meetings, experts have shared their knowledge, in order to re-establish agricultural practices, which were abandoned in the Nineties. This process of capacity building has increased knowledge and skills among the local actors, developed the social capital, and enabled the stakeholders to produce part of their food consumption. Access to adequate food is particularly important considered the state of poverty of the Alto Verde neighborhood and the tendency of purchasing cheap food which is

often unhealthy. Lately, the meetings with the experts have been substituted by the support of the UNL's students. The students, who are volunteers which decide to take part to the project, go to Alto Verde at least once a week, in order to check the common vegetable garden and to visit the neighbors who have their own cultivations. Among these volunteers, two students live in the Alto Verde neighborhood. This means that they know better the dynamics of the area and that they are immediately recognized by the other neighbors. Thus, the effects of suspicion and mistrust, which are activated when external actors intervene in a territory, is partially limited by the presence of local people in the leadership of the project.

To conclude, several strengths exist in the territory of Santa Fe de La Vera Cruz, and the presence of an active civil society encourages the adoption of community support approaches to foster local development, to boost sustainable agricultural practices, along with bolstering food sovereignty.

### **5.5 SWOT analysis: Weaknesses**

The presence of strong civil society networks is an advantage to foster local development, but some weaknesses have to be taken into account.

First of all, the majority of the people interviewed, the Red de Abogados de Pueblos Fumigados, the CeProNat, and the students working in the UNL's extension programme, are volunteers. Thus, voluntary jobs are necessarily unstable, because people can devote to those activities only a small part of their time. Additionally, the volunteers rotate frequently and this causes a discontinuity in the activities of the organizations. Moreover, to coordinate volunteers is not an easy task (the CeProNat counts around two hundred members) and often it slows down the working plan of the organizations. For instance, the interviews submitted to the RAPF and to the CeProNat, were

written. In the case of the RAPF, it was impossible to meet them physically, due to their several tasks, while in the case of the CeProNat, the interviewed representative explicitly expressed its propensity for written questions.

However, in both cases, considered their commitments and the time needed to discuss among the members, the answers were overdue in a couple of months. This is just an example of the time it takes to accomplish a not compelling request. Probably the coordination works better when urgent issues come up, but we cannot still define the outcomes as prompt answers. Finally, the lack of funds is a major constraint when planning activities. The limited resources managed by these civil society organizations, based on voluntary jobs, reduce their potential impact on local development and on the realization of food sovereignty. The lack of monetary investments in human capital shrinks new professionals from entering these networks.

Secondly, civil society organizations, because of their nature, arise spontaneously without a coordinated territorial plan. Consequently, the wide range of organizations present in the selected area is both an advantage and a disadvantage. It is an advantage because it reflects the variety of the population, but it is also a disadvantage considered that often these organizations have the same aims; thus, they could plan overlapping activities which means to disperse resources and time. Hence, there is a need for cooperation among the same civil society organizations, which not always are aware of the existence of potential partners.

Thirdly, in the case of La Verdecita and of the Manos en la Huerta project, there is the risk to succumb in a paternalistic approach. Indeed, La Verdecita was funded by activist women with an urban background. They installed their farm in a rural environment and lately started to develop a formal network with the other peasants working in the area. The funders could enjoy the benefits of formal and informal education and the fact that they spent their lives in



politicized movements, gave them the opportunity to develop their organizational and administrative skills; while the other peasants, which are mainly Bolivians, have a completely different background. In particular, the first generation of Bolivians immigrated in Argentina, was escaping from conditions of semi-slavery. At the moment, the second generation can study at the National University, which is free and public, but only few guys decided to follow this path. Hence, the funders who have a predisposition for administrative tasks, have often played a paternalistic role, especially when dealing with farmer women, who are often enclosed in a male chauvinist society. Furthermore, the Argentine society is rather racist against indigenous descendants and migrants coming from the poorer neighbor countries, such as Paraguay and Bolivia. This discrimination provokes a sense of inferiority within those people, who seldom express their opinions and who rarely show their culture in public. To epitomize, one of the founders of La Verdecita revealed that only after ten years of collaboration, the Bolivian farmers of the network turned on Bolivian music during La Verdecita's Christmas party. The few Argentine peasants participating did not appreciate this spontaneous cultural exchange, and the host (the same founder) had to intervene, in order to calm the guests down and to allow that both Argentine and Bolivian music were played. Another interesting passage of this same interview is about the difficulties in the establishment of the assembly and its democratic practices. La Verdecita takes its decisions through democratic discussions of its assembly in plenary sessions. However, at the first meetings only men show up, while women were relegated as angles of the heart, and they were unable or unwilling to publicly express their opinions. Only the perseverance of the founders enabled peasants to familiarize with these democratic practices, and their determination brought them to look for those peasant women who were enclosed in their houses.

In the case of the UNL's project, it is observable a lack of ownership from

the part of the dwellers of Alto Verde. In fact, the common vegetable garden sometimes is assaulted by acts of vandalism. Even if the neighbors, who take part in the project, help in the construction and maintenance of the common space, it is still difficult to denominate these collaborations as a stable network. The students admitted that at the beginning was particularly arduous to establish positive relations among the participants. Currently, after five years since the beginning of the Manos en la Huerta, the students confirm that they have not achieved the realization of a proper network yet.

Finally, when looking at the fair market of La Verdecita, the absence of fruits attracts the attention. This fact reveals another weakness in the realization of food sovereignty. Most of the peasants that cultivate the *cinturón hortícola*, the horticultural area, around Santa Fe - Capital, are not owners of the lands they farm. The absence of long-lasting rights on the lands impedes the implementation of integral agroecological agriculture, along with the pluriennial planning. Thus, no one of the farmers of the network produces fruits, because fruit trees need more time than a season to grow and pay back the investment.

In conclusion, the various weaknesses present in the territory of Santa Fe - Capital, are obstacles in the realization of food sovereignty. In particular, the lack of funds, which characterizes the existence of the analysed civil society organizations, and the scarce social and human capital are the major constraint in the resistance against the expansion of agribusiness.

## **5.6 SWOT analysis: Opportunities**

After considering the weaknesses of the social unit analysed, it is important to focus the attention on the opportunities, which can be taken in order to foster local development.

First of all, the existence of several civil society organizations founded to

raise awareness on environmental and human health issues, and to promote a more sustainable model of agriculture, means that a considerable part of the Santa Fe's citizens is sensitive to those topics. Additionally, the success of the market established by La Verdecita (there are other small farmers in the area, who successfully sell their products without intermediary, i.e. *La Huerta Delivery*) shows that there is a demand for healthy organic products. This advantageous situation could be improved through the adoption of policies aimed to enable the private sector sustainable growth.

Secondly, the development of initiatives oriented to the autoconsumption could be an asset in the Government's long-term planning. Indeed, foster food sovereignty makes the State less dependent on price volatility and external markets; additionally, an healthy diet reduces the risk of malnutrition diseases and consequently reduces potential costs on the public health system. Furthermore, food production at a small scale implies that a higher number of people can be employed in agriculture, reducing unemployment rates.

Thirdly, the existing organizations which can share goals with others, might decide to cooperate and take actions together, strengthening their power and their capacity to influence the decision making process. To enhance their capability of networking, the analysed organizations should consider a greater employment of the internet. Indeed, the insufficient updates of their websites and their pages in the social networks reduce their possibilities to be heard outside the physical borders of their environments.

Additionally, the social capacity building allows the development of a more aware and more responsible society, which might be more prone to defend its own rights.

Concerning the opportunities to take, in order to strengthen food sovereignty and to adopt, in general, a food production system more attentive to

human rights principles, it has to be considered the importance of the precautionary principle. Indeed, the fact that in the San Jorge caselaw it is recalled this principle creates a legal precedent in the Province of Santa Fe, which cannot be ignored. At the moment, there are still insufficient studies to certify that the GMO cultivations and the correlated technological packages are harmless; in fact, consequences can be tested only in a considerable lapse of time.

Finally, it has to be taken into account the effort of a part of the governmental forces to offer a support to small farmers. The organizations have to consider the possibilities offered by the existing public policies, and the opportunity to cooperate with those parts of the institutions which are willing to secure alliances with the civil society.

### **5.7 SWOT analysis: Threats**

Some threats, along with the weaknesses, jeopardize the sustainable development in the considered area.

Firstly, the lack of support from the local Government, but also from the provincial and national level, is an obstacle to the activities of the civil society organizations, which not only have to afford fund constraints , but also have to strive to implement their actions. For instance, the fact that the local Government of Santa Fe - Capital initially banned the fair market of La Verdecita, is a clear example of the determinant role played by institutions in local development. If the Government and its institutions decide to put a spoke in civil society organizations' wheel, participative local development, including the capacity to foster food sovereignty, is at risk. To be at risk does not mean necessarily that organizations' activities would disappear, but probably, to achieve their goals, the stakeholders have to employ greater resources and

waste more time. The bad relations with the institutions, which sometimes simply consist in lack of communication, slow down the process to enhance food sovereignty.

Secondly, as previously illustrated in the analysis of the weaknesses, the limited capacities of small farmers are a threat to the development of sustainable practices. Indeed, to invest in education would probably enable peasants to claim their rights and to plan their work more efficiently. Furthermore, there is the possibility that the stakeholders abandon the undertaken projects, in those cases where external actors proposed the initiatives. At the moment, the promoters of the considered projects, La Verdecita and Manos en la Huerta, are still present, but a stronger ownership has to be built by the participants; otherwise the activities could finish at the funders' departure.

Furthermore, the difficulties encountered in the development of a reliable network, are an obstacle for the creation of stable cooperations among the participants of the same project or the members of an organization. In fact, the incapability of establishing a long-lasting network reduces the possibility of communication, and to share knowledge becomes difficult not only with external actors, but also within the same project or organization.

Then, small farmers are often threatened by the certified organic food. That is, organic certifications have a high cost, which often peasants cannot afford, even if they are producing properly. The impossibility to certify the organic origins of the produced food is a limit for those small farmers, who strive to gain enough incomes to keep running their activities. Indeed, they cannot accede to a portion of the market who is willing to pay more for an healthy certified product.

Finally, the GMO cultivations are threatening constantly the non-modified agriculture and its biodiversity, along with the entire ecosystem.

## 5.8 Final Considerations

To implement food sovereignty, and to recognize it as a human right, requires a great effort from the part of the civil society, which strive to produce healthy food and advocate for a more sustainable agriculture, along with a clear and strong willing of the policy makers. In fact, the recognition of food sovereignty as a human right that has to be respected, protected, and fulfilled, cannot be achieved without the support of the governmental institutions.

Hence, to foster local development in the area of Santa Fe de La Vera Cruz demands a conjunction of forces addressed to sustain the existing movements oriented to sustainable agriculture, and to strengthen public policies aimed to fulfill the right to adequate food and possibly food sovereignty. Indeed, the institutions and the civil society should share spaces and occasions to cooperate, to exchange knowledge, and to establish participative practices.

In order to achieve these goals, a starting point is to consider the existing legislation favourable to food sovereignty in the Province of Santa Fe. In particular, the decree n.º 1152/13, *Acuerdo Santa Fe por una Alimentación Segura y Sustentable* (Santa Fe Agreement for a safe and sustainable food)<sup>72</sup>, signed by the Governor of the Province of Santa Fe, Antonio Bonifatti, on May 23<sup>rd</sup>, 2013 is a significative step taken by the provincial institutions to guarantee safe and healthy food, through the adoption of an integral policy, which involves various aspects and principles related to the implementation of the right to food and food sovereignty. In particular, the Santa Fe agreement adopts the following principles as guidelines to guarantee safe and sustainable food: equity, right to food, food sovereignty, food security, food safety, rurality and family farming, good practices, information and scientific evidence, sustainability, transparency,

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<sup>72</sup> Gobierno de Santa Fe, "Decreto N°1152/13", <[http://www.assal.gov.ar/assal\\_principal/documentos/Decreto\\_1152\\_13.pdf](http://www.assal.gov.ar/assal_principal/documentos/Decreto_1152_13.pdf)>, accessed on September 16<sup>th</sup>, 2015.

e-government, decentralization, local and regional development, citizens' participation, education, and social economy. This broader approach to guarantee adequate food, puts the emphasis on the importance of adopting multifaceted policies, in order to address the same issues on different perspectives. Thus, this decree, among other initiatives, such as school feeding or breastfeeding supports, aims to implement food sovereignty through several actions addressed to improve and strengthen small peasants' sustainable agriculture. Among the actions previewed by the decree, there are the promotion of self-consumption in the urban and in the surrounding areas, the creation of seeds banks where farmers can exchange seeds and create networks, and the enablement of peasants to access markets.

In conclusion, this decree is an occasion for the civil society organizations considered to strengthen the collaboration with the governmental institutions. It is evident that public policies aimed to foster food sovereignty do exist, consequently the organizations, and small farmers in general, should profit from this engagement of the institutions, in order to foster their capability to produce safe and healthy food. However, the fruition of the benefits generated by public policies depends on the possibility to access these programmes. In other words, the institutions are called to inform people on the opportunities they have, and to enable them to enjoy their rights through education.





## **Chapter 6**

### **Conclusions**

#### **6.1 Future perspectives**

At the moment, food sovereignty is not recognized as a human right and it is not included in the FAO mandate. Additionally, within the international governmental organizations it is palpable the willing of some powerful States to invest in areas different from food sovereignty scopes. However, some international instruments which offer a legal base to foster food sovereignty do exist. In particular, the right to adequate food is still a significant human right that gives hope to further recognition of correlated rights, included food sovereignty.

Then, regarding environment and sustainable agriculture, there are valuable instruments at the international level such as: the Convention on Biological Diversity (CBD, 1993), and its protocols, along with the International Treaty on Plant Genetic Resources for Food and Agriculture (2004). In particular, the Cartagena Protocol on Biosafety (2004)<sup>73</sup>, tries to regulate the international trade of products containing living modified organisms, and explicitly recognizes the precautionary principle, which still represents a possible path to prevent

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<sup>73</sup> Argentina did not signed it yet.

GMO consequences. The more recent Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (2014) is an attempt to democratize the global food system. However, to change the regime, these treaties have to be ratified by those States who mostly use GMOs and the international agreements should envisage mechanisms of sanctions, in order to be effective.

Additionally, there is a clear need to regulate international trade, in order to account the responsibility of big corporations who run businesses which harm too often the majority of the people who deal with them.

In the last 60 years, Latin American worked constantly to develop a regional framework to eradicate hunger and malnutrition. After many years of regional cooperation and dialogue, in the context of various organizations, such as: the Organization of American States (OAS), the Alianza Bolivariana para los Pueblos de Nuestra América (ALBA), the Caribbean Community including the Caribbean Common Market (CARICOM), the Community of Latin American and Caribbean States (CELAC), and the Parlatino, some important goals were accomplished. In fact, the Latin America and the Caribbean achieved the objectives of the Millennium Development Goal 1 (MDG), to eradicate extreme poverty and hunger, and of the Zero Hunger Challenge launched by the UN Secretary-General Ban Ki-moon in 2012, in 2015. Despite the important results, a lot remains to be done.

In conclusion, there is a strong pressure from the civil society to democratize and to make more sustainable the global food regime. The case of Santa Fe de La Vera Cruz, analyzed above, is just an example of the vitality of social movements. People around the world started to be aware of their rights, and thanks to education, they might be enabled to strive for the respect, the protection and the fulfillment of those rights they are entitled. The current economic system has shown its faults and there is a need for a more equitable

world. If those who are losers in this system, realize that they are the majority and can strive together to change the present unequal structure, there will be the possibility to democratize globalization.



## **ACRONYMS**

ALBA	Alianza Bolivariana para los Pueblos de Nuestra América
ANMAT	Administración Nacional de Medicamentos, Alimentos y Tecnología Médica (Argentina)
CAA	Código Alimentario Argentino, Argentine Alimentary Code
CARICOM	Caribbean Common Market
CELAC	Community of Latin American and Caribbean States
CBD	Convention on Biodiversity
CESCR	Committee on Economic, Social and Cultural Rights
CEDAW	Convention on the Elimination of All Forms of Discriminations Against Women
CeProNat	Centro de Protección a la Naturaleza, Center for the protection of nature
CEPROSENA	Centro de Producción de Semillas Nativas, Native Seed Production Centre
CONAL	Comisión Nacional de Alimentos, National Food Commission (Argentina)
CRC	Convention on the Rights of the Child
CRP8s8sD	Convention on the Rights of Persons with Disabilities
CSO(s)	Civil Society Organization(s)
FONAF	Federación de Organizaciones Nucleadas de Agricultura Familiar, Federation of Family Farming Organizations
GM	Genetically Modified
GMO	Genetically Modified Organisms

ICESCR	International Convention on Economic, Social and Cultural Rights
IMF	International Monetary Fund
INTA	Instituto Nacional de Tecnología Agropecuaria, National Institute of agriculture and livestock technology (Argentina)
MAGyP	Ministerio de Agricultura, Ganadería y Pesca, Ministry of Agriculture, Livestock and Fishery (Argentina)
MANMAT	Administración Nacional de Medicamentos, Alimentos y Tecnología Médica, National Administration of Medicine, Food and Medical Technology (Argentina)
NGO(s)	Non-Governmental Organization(s)
OAS	Organization of American States
Parlatino	Parlamento Latinoamericano, Latin American Parliament
PROFAM	Programa para Productores Familiares, Family Farmers Programme (Argentina)
ProFeder	Programa Federal de Apoyo al Desarrollo Rural Sustentable, Federal Programme to support sustainable rural development (Argentina)
RAPF	Red de Abogados de Pueblos Fumigados, Lawyers of fumigated villages network
SAGPyA	Secretaría de Agricultura, Ganadería, Pesca y Alimentos, Secretary of Agriculture, Livestock, Fishery and Food (Argentina)
SENASA	Servicio Nacional de Sanidad y Calidad Agroalimentaria, National Service of Food Safety and Quality (Argentina)
SNCA	Sistema Nacional de Control de Alimentos, National System of Food Control (Argentina)
SWOT	Strengths, Weaknesses, Opportunities and Threats
UCAR	Unidad para el cambio rural, Rural Change Unit (Argentina)
UDHR	Universal Declaration of Human Rights

UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNL	Universidad Nacional Del Litoral
WB	World Bank
WHO	World Health Organization
WTO	World Trade Organization





## **ANNEXES**



## Annex 1

### Instituto Nacional de Tecnología Agropecuaria, National Institute of agriculture and livestock technology (Argentina) – Programmes

- *Programa Minifundio* (Smallholding Programme, 1987):

This programme aims to improve smallholders' incomes and quality of life, through a self-sustainable development. The producers with the following characteristics can take part to this action:

- natural and economic resources shortage;
- smallholding considered the family components;
- precarious land possession;
- low remuneration of familiar labor force;
- lack of adequate technology and professional advice;
- difficult access to the credit market;
- limited negotiation power within the market;
- weak organizational structure.

Source: Inta, "Minifundo", <[inta.gob.ar/documentos/minifundio](http://inta.gob.ar/documentos/minifundio)>, accessed on August 6th, 2015.

- *Programa Pro Huerta* (Programme in support of vegetable gardens, 1990):

The Pro Huerta Programme is a public policy implemented by the National Ministry of Social Development (Ministerio de Desarrollo Social de la Nación), in collaboration with the INTA. It aims to accomplish food sovereignty, through the self-production of agroecological food. Additionally, it boosts the participation and organization of vulnerable sectors, and it promotes the commercialization of exceeds. The Programme is addressed to families, and community-based entities and organizations, and it goals to enhance their

capability and to support them with technical assistance.

According to the National Ministry of Social Development, the 88% of the Argentine Municipalities were implementing the Pro Huerta Programme in 2013, with 630,000 vegetable gardens, and 130,000 farms that were contributing to the nourishment of 3,5 million people. Moreover, this programme has consolidated a network of more than 20,000 volunteers, which play a significant role in the implementation of the Pro Huerta in their communities. The convergence of traditional knowledge and technical assistance, along with participative production of healthy food, endorse the social integration, the local development, and the food security of vulnerable people, which can start to produce their own vegetables.

Source: Ministerio De Desarrollo Social de la Nación, “Sobre Pro Huerta” <[www.desarrollosocial.gob.ar/wp-content/uploads/2015/08/1.-M--s-sobre-PRO-HUERTA.pdf](http://www.desarrollosocial.gob.ar/wp-content/uploads/2015/08/1.-M--s-sobre-PRO-HUERTA.pdf)>, accessed on August 11<sup>th</sup>, 2015.

- *Programa Cambio Rural* (Rural Change Programme, 1993), *Programa Cambio Rural II, Innovación e Inversión* (Rural Change Programme II, Innovation and Investment, 2014):

Previously the Cambio Rural, and at the present the Cambio Rural II, supports the small and medium food producers, the cooperative sector, and capitalized or potentially capitalizable family farmers.

Source: Inta, “Cambio Rural II, Innovación e Inversión”, <[inta.gob.ar/noticias/cambio-rural-ii-innovacion-e-inversion](http://inta.gob.ar/noticias/cambio-rural-ii-innovacion-e-inversion)>, accessed on August 6th, 2015.

- *Programa para Productores Familiares* (Family Farmers Programme, PROFAM, 2003):

The PROFAM is a programme addressed to those family farmers, which are willing to cooperate with other small producers in order to solve common problems, such as: weak organization, resource shortage, difficult access to the credit market, lack of capabilities to commercialize their products, etc.

Firstly, the eligible candidates for the PROFAM, have the following

characteristics:

- small scale of production;
- resource structural shortage;
- absence of an organizational structure;
- impossibility to access the credit market;
- limited capability to commercialize their production;
- low incomes.

Secondly, the selected farmers and their families, supported by the technical staff of the PROFAM, are directly involved in the implementation of the programme that aims to:

- build their organizational structure;
- improve their productive, managerial and commercial skills;
- find new alternatives of income, in order to avoid a poverty trap;
- better life conditions.

The actions of the PROFAM are oriented to family strengthening and social capital promotion. In particular, they focus on:

- participative problem solving;
- entrepreneurial production and transformation;
- employment of the families' labor force and creation of new jobs at the local level;
- families' food security;
- access to the market information;
- technology validation and adaptation;
- small farmers' self-organization, in order to successfully access the market.

Source: Inta, "PROFAM", <[inta.gob.ar/documentos/profam](http://inta.gob.ar/documentos/profam)>, accessed on August 11<sup>th</sup>, 2015.

- *Programa Federal de Apoyo al Desarrollo Rural Sustentable* (Federal Programme to support sustainable rural development, ProFeder, 2003):

The ProFeder aims to strengthen the social development and inclusion, to integrate regional and local economies with internal and international markets, along with the creation of new employments and revenues. This programme supports family and small firm producers, in order to improve local social-productive systems, food security, value-added, and diversification. The ProFeder is implemented by participatory projects and plans, which increase the community's capacity to respond to the territorial needs. In fact, the ProFeder supports other national programmes involved in the local development, such as: Minifundio, Pro Huerta, PROFAM, Cambio Rural, along with supportive and integrated projects of local development.

The ProFeder abets more than 13,500 small and medium farmers (through the Cambio Rural), and tries to increase the well-being of about 15,000 families of agricultural producers (through Minifundio and PROFAM). Additionally, it supports local development projects, which involve more than 20,000 participants.

Source: Inta, "ProFeder", <[inta.gob.ar/documentos/profeder-programa-federal](http://inta.gob.ar/documentos/profeder-programa-federal)>, accessed on August 11<sup>th</sup>, 2015.

## **Annex 2**

### **AGRICULTURA FAMILIAR**

#### **Ley 27.118**

**Declárase de interés público la Agricultura Familiar, Campesina e Indígena. Régimen de Reparación Histórica. Creación.**

**Sancionada: Diciembre 17 de 2014**

**Promulgada de Hecho: Enero 20 de 2015**

El Senado y Cámara de Diputados de la Nación Argentina reunidos en Congreso, etc. sancionan con fuerza de Ley:

REPARACIÓN HISTÓRICA DE LA AGRICULTURA FAMILIAR PARA LA  
CONSTRUCCIÓN DE UNA NUEVA RURALIDAD EN LA ARGENTINA

#### **TÍTULO I**

#### **De los fines, objetivos, definiciones y alcances**

**ARTÍCULO 1°** — Declárase de interés público la agricultura familiar, campesina e indígena por su contribución a la seguridad y soberanía alimentaria del pueblo, por practicar y promover sistemas de vida y de producción que preservan la biodiversidad y procesos sostenibles de transformación productiva.

**ARTÍCULO 2°** — Créase el Régimen de Reparación Histórica de la Agricultura Familiar destinado al agricultor y a la agricultura familiar y empresas familiares agropecuarias que desarrollen actividad agropecuaria en el medio rural conforme los alcances que se establecen en la presente ley, con la finalidad prioritaria de incrementar la productividad, seguridad y soberanía alimentaria y de valorizar y proteger al sujeto esencial de un sistema productivo ligado a la radicación de la familia en el ámbito rural, sobre la base de la sostenibilidad medioambiental, social y económica.

**ARTÍCULO 3°** — Son objetivos generales de esta ley:

a) Promover el desarrollo humano integral, bienestar social y económico de los productores, de sus comunidades, de los trabajadores de campo y, en general, de los agentes del medio rural, mediante la diversificación y la generación de

empleo en el medio rural, así como el incremento del ingreso, en diversidad y armonía con la naturaleza para alcanzar el buen vivir;

b) Corregir disparidades del desarrollo regional a través de la atención diferenciada a las regiones con mayor atraso, mediante una acción integral del Poder Ejecutivo nacional que impulse su transformación y la reconversión productiva y económica, con un enfoque productivo de desarrollo rural sustentable;

c) Contribuir a la soberanía y seguridad alimentaria de la nación mediante el impulso de la producción agropecuaria;

d) Fomentar la conservación de la biodiversidad y el mejoramiento de la calidad de los recursos naturales, mediante su aprovechamiento sustentable;

e) Valorar las diversas funciones económicas, ambientales, sociales y culturales de las diferentes manifestaciones de la agricultura nacional;

f) Valorizar la agricultura familiar en toda su diversidad, como sujeto prioritario de las políticas públicas que se implementen en las distintas esferas del Poder Ejecutivo nacional;

g) Promover el desarrollo de los territorios rurales de todo el país, reconociendo y consolidando a la agricultura familiar como sujeto social protagónico del espacio rural. A este fin, se entiende por desarrollo rural, el proceso de transformaciones y organización del territorio, a través de políticas públicas con la participación activa de las comunidades rurales y la interacción con el conjunto de la sociedad;

h) Reconocer explícitamente las prácticas de vida y productivas de las comunidades originarias.

#### **ARTÍCULO 4° — Son objetivos específicos de la presente ley:**

a) Afianzar la población que habita los territorios rurales en pos de la ocupación armónica del territorio, generando condiciones favorables para la radicación y permanencia de la familia y de los jóvenes en el campo, en materia de hábitat, ingresos y calidad de vida, equitativa e integrada con las áreas urbanas;

b) Impulsar el aprovechamiento de atributos específicos de cada territorio para generar bienes primarios, industrializados y servicios diferenciados por sus particularidades ecológicas, culturales, procedimientos de elaboración, respeto a los requisitos sanitarios, singularidad paisajística y/o cualquier otra característica que lo diferencie;

c) Contribuir a eliminar las brechas y estereotipos de género, asegurando la igualdad de acceso entre varones y mujeres a los derechos y beneficios consagrados por la presente ley, adecuando las acciones concretas e implementando políticas específicas de reconocimiento a favor de las mujeres de la agricultura familiar;



- d) Fortalecer la organización y movilidad social ascendente de la agricultura familiar, campesina e indígena, con especial atención a las condiciones y necesidades de la mujer y la juventud rural;
- e) Asegurar el abastecimiento de alimentos saludables y a precio justo aportando estratégicamente a la sustentabilidad energética y a la preservación del ingreso;
- f) Apoyar la generación de actividades agropecuarias, artesanales, industriales y de servicios, orientada al agregado de valor de la producción primaria y la generación de desarrollo local;
- g) Recuperar, conservar y divulgar el patrimonio natural, histórico y cultural de la agricultura familiar en sus diversos territorios y expresiones;
- h) Fortalecer la organización de los productores familiares y la defensa de sus derechos y posibilidades promocionando el asociativismo y la cooperación;
- i) Garantizar los derechos de acceso y a la gestión de la tierra, el agua y los recursos naturales en general, las semillas, el ganado y la biodiversidad estén en manos de aquellos que producen los alimentos;
- j) Implementar acciones específicas para los pueblos originarios y sus comunidades;
- k) Desarrollar y fortalecer estructuras institucionales participativas a todos los niveles orientadas a planificar, monitorear y evaluar las políticas, programas y acciones del desarrollo local;
- l) Desarrollo de políticas de comercialización que garanticen la colocación de la producción local en mercados más amplios;
- m) Generación y afianzamiento de polos económico-productivos en zonas rurales y en pequeñas localidades, promocionando el desarrollo local y la preservación de valores, identidades culturales regionales y locales.

**ARTÍCULO 5°** — Se define como agricultor y agricultora familiar a aquel que lleva adelante actividades productivas agrícolas, pecuarias, forestal, pesquera y acuícola en el medio rural y reúne los siguientes requisitos:

- a) La gestión del emprendimiento productivo es ejercida directamente por el productor y/o algún miembro de su familia;
- b) Es propietario de la totalidad o de parte de los medios de producción;
- c) Los requerimientos del trabajo son cubiertos principalmente por la mano de obra familiar y/o con aportes complementarios de asalariados;
- d) La familia del agricultor y agricultora reside en el campo o en la localidad más próxima a él;
- e) Tener como ingreso económico principal de su familia la actividad agropecuaria de su establecimiento;
- f) Los pequeños productores, minifundistas, campesinos, chacareros, colonos, medieros, pescadores artesanales, productor familiar y, también los campesinos

y productores rurales sin tierra, los productores periurbanos y las comunidades de pueblos originarios comprendidos en los incisos a), b), c), d) y e).

**ARTÍCULO 6°** — Registración en RENAF. Establézcase la obligación por parte de los agricultores y agricultoras familiares de registrarse en forma individual y asociativa, a los efectos de ser incluidos en los beneficios de la presente ley.

Ratifíquese la creación del Registro Nacional de Agricultura Familiar conforme lo dispuesto por resolución 255/07 de la Secretaría de Agricultura, Ganadería, Pesca y Alimentación de la Nación, a partir de la sanción de la resolución 25/07 del Mercosur que se considera incorporada a la presente ley. En caso de existencia de otros registros nacionales, provinciales o municipales de agricultores y agricultoras familiares, deberán compartir la información con el RENAF a los fines de conformar una base única de datos a nivel nacional.

**ARTÍCULO 7°** — Beneficiarios del régimen. Quedan comprendidos en los beneficios de la presente ley los agricultores y agricultoras familiares que desarrollen actividades productivas registrados en el Registro Nacional de Agricultura Familiar.

## TÍTULO II

### Aplicación

**ARTÍCULO 8°** — La presente ley será de aplicación en la totalidad del territorio de la Nación Argentina, invitándose a las provincias a adherir a la misma o adecuar su legislación, sancionando normas que tengan un objeto principal similar al de la presente ley.

**ARTÍCULO 9°** — El Ministerio de Agricultura, Ganadería y Pesca, en el ámbito del Poder Ejecutivo nacional será el organismo de aplicación de la presente ley. La autoridad de aplicación dará participación al Consejo de Agricultura Familiar, Campesino, Indígena creado por resolución 571 de MAGyP.

**ARTÍCULO 10.** — El Ministerio de Agricultura, Ganadería y Pesca promoverá las condiciones para el desarrollo rural integral y sustentable, a fin de generar empleo y garantizar el bienestar y su participación e incorporación en el desarrollo nacional fomentando la actividad agropecuaria y forestal para el óptimo uso de la tierra, con obras de infraestructura, insumos, créditos, servicios de capacitación y asistencia técnica, generando la legislación para planear y

organizar el desarrollo rural y la producción agropecuaria, su industrialización y comercialización, fomentando acciones en las siguientes temáticas:

1. Bienes naturales y ambiente.
2. Desarrollo tecnológico, asistencia técnica e investigación.
3. Procesos productivos y de comercialización.
4. Educación, formación y capacitación.
5. Infraestructura y equipamientos rurales.
6. Políticas sociales.
7. Instrumentos de promoción.

**ARTÍCULO 11.** — La autoridad de aplicación promoverá la difusión, con las instituciones vinculadas a la agricultura familiar, campesina e indígena y al desarrollo rural, de los alcances y características de los instrumentos de la presente ley, para facilitar el acceso y los beneficios establecidos a todos los agricultores y agricultoras familiares del país.

**ARTÍCULO 12.** — Créase en el ámbito de la Jefatura de Gabinete de Ministros el Consejo Nacional de Coordinación de Políticas Públicas para la Agricultura Familiar, integrado por los ministros del Poder Ejecutivo nacional. Sus funciones serán articular, coordinar, organizar, informar y relevar desde la integralidad de las acciones ejecutadas por las distintas áreas de gobierno para el cumplimiento de los objetivos de la presente ley.

**ARTÍCULO 13.** — Todas las políticas, planes, programas, proyectos ejecutados por el Ministerio de Agricultura, Ganadería y Pesca, entes desconcentrados o descentralizados del Poder Ejecutivo nacional destinados a favorecer la producción, industrialización comercialización de productos agropecuarios deberán contemplar en su instrumentación a la agricultura familiar y mejorar sus condiciones de vida. Las organizaciones representativas del sector deberán ser integradas a los consejos asesores existentes o a crearse.

Los productores de la agricultura familiar, campesina e indígena deberán ser caracterizados por la autoridad de aplicación para su inclusión prioritaria en las acciones y políticas derivadas de la presente ley, tomando en cuenta los siguientes factores:

- a) Productores de autoconsumo, marginales y de subsistencia;
- b) Niveles de producción y destino de la producción;
- c) Lugar de residencia;
- d) Ingresos netos y extra prediales;
- e) Nivel de capitalización;
- f) Mano de obra familiar. Mano de obra complementaria;
- g) Otros elementos de interés.

**ARTÍCULO 14.** — El presente régimen reconoce una primera etapa de tres (3) años para su ejecución, cumplidos los cuales deberá evaluarse su funcionamiento y resultados y adecuarse los programas e instrumentos a los avances y logros alcanzados por el sector.

### TÍTULO III

#### **Bienes naturales y ambiente**

**ARTÍCULO 15.** — *Acceso a la tierra.* La autoridad de aplicación articulará con los organismos competentes del Poder Ejecutivo nacional y las provincias para el acceso a la tierra para la agricultura familiar, campesina e indígena, considerando la tierra como un bien social.

**ARTÍCULO 16.** — *Banco de Tierras para la Agricultura Familiar.* Créase en el ámbito de la autoridad de aplicación el Banco de Tierras para la Agricultura Familiar, con el objetivo de contar con tierras aptas y disponibles para el desarrollo de emprendimientos productivos de la agricultura familiar, campesina e indígena en el marco de lo dispuesto en la presente norma. Se invita a las provincias a tomar iniciativas del mismo tipo en sus jurisdicciones.

El Banco de Tierras estará conformado por:

- a) Las tierras de propiedad de la Nación que el Estado nacional por decreto afecte a los fines de la presente ley;
- b) Las tierras que sean donadas o legadas al Estado nacional con el fin de ser afectadas al Banco creado por esta norma;
- c) Las tierras que transfieran los estados provinciales y municipales a la Nación al fin indicado en esta ley;
- d) Todas las tierras rurales que ingresen al patrimonio del Estado nacional por distintos mecanismos judiciales, administrativos, impositivos o de cualquier otra naturaleza.

La autoridad de aplicación promoverá los acuerdos necesarios con las dependencias competentes del Poder Ejecutivo nacional a los fines del relevamiento, registro y determinación de las tierras que integrarán el mismo.

Los titulares de inmuebles que los pongan a disposición del Banco accederán a beneficios impositivos y fiscales en los términos que establezca la reglamentación.

El Registro Nacional de Tierras Rurales en coordinación con la autoridad de aplicación registrará los bienes inmuebles que integren el Banco de Tierras, de

conformidad a la información provista por las provincias y por la Agencia de Administración de Bienes del Estado.

**ARTÍCULO 17. — *Adjudicación.*** Las tierras que integren el Banco, se adjudicarán en forma progresiva a los agricultores y agricultoras familiares registrados en el RENAF, y/o habitantes urbanizados que por diversas razones demuestren voluntad de afincarse y trabajar en la agricultura familiar, campesina e indígena, de acuerdo al procedimiento que a tal fin establezca la autoridad de aplicación, mediante adjudicación en venta, arrendamiento o donación.

Las adjudicaciones se realizarán en unidades económicas familiares, las que se determinarán tomando en consideración, como mínimo, los siguientes parámetros:

- a) Regiones ecológicas;
- b) Tipos de explotación;
- c) Infraestructura regional, zonal y local;
- d) Capacidad productiva de la tierra;
- e) Capacidad del equipamiento productivo, financiero y condición económica del postulante en los casos de ofrecimiento público;
- f) Cantidad de integrantes del grupo familiar;
- g) Inseguridad jurídica respecto a la tenencia de la tierra que actualmente habitan y trabajan, o falta de acceso a la misma.

**ARTÍCULO 18. — *Regularización dominial.*** El ministerio instrumentará un programa específico y permanente para el relevamiento, análisis y abordaje integral de la situación dominial de tierras de la agricultura familiar, campesina e indígena. A tal fin se constituirá una Comisión Nacional Permanente de Regularización Dominial de la Tierra Rural conformada por: la autoridad de aplicación, el Registro Nacional de Tierras Rurales, Secretaría Nacional de Acceso al Hábitat, el Instituto Nacional de Asuntos Indígenas y el Instituto Nacional de Tecnología Agropecuaria. Se invitará a la Federación de Agrimensores y a la de Abogados y al Consejo Federal del Notariado Argentino a fin de promover titulaciones sociales.

**ARTÍCULO 19. —** Se suspenden por tres (3) años toda ejecución de sentencia y actos procesales o de hecho que tengan por objeto el desalojo de agricultores familiares que al momento de la entrada en vigencia de la presente norma se encuentren en condiciones de usucapir las tierras rurales que poseen. La autoridad de aplicación de conformidad a los artículos precedentes, priorizará soluciones inmediatas para garantizar la permanencia y el acceso a la tierra.

**ARTÍCULO 20. —** El ministerio diseñará e instrumentará programas de incentivos a los servicios ambientales que aporte la agricultura familiar, campesina e

indígena con procesos productivos que preserven la base ecosistémica de sus respectivos territorios.

Estos incentivos consistirán en subsidios directos; multiplicación del monto de microcréditos y fondos rotatorios, desgravación impositiva, y créditos del Banco de la Nación y tasas subsidiadas.

Se diseñarán y ejecutarán planes de prevención, mitigación y restitución frente a las emergencias y catástrofes, tales como sequías, inundaciones, otros, tomando las previsiones que a través del RENAF esté garantizada la atención prioritaria del agricultor y agricultora familiar en esta situación. Los procesos de deterioro de suelos que avanzan hacia la desertificación serán atendidos como emergencias y catástrofes.

#### TÍTULO IV

##### **Procesos productivos y de comercialización**

**ARTÍCULO 21.** — Las acciones y programas que se establezcan se orientarán a incrementar la productividad y competitividad en el ámbito rural a fin de fortalecer el empleo, elevar el ingreso de los agricultores familiares, generar condiciones favorables para ampliar los mercados, aumentar el capital natural para la producción y a la constitución y consolidación de empresas rurales. Lo dispuesto se propiciará mediante:

- a) La conservación y mejoramiento de los suelos y demás recursos naturales. Se instrumentarán para tal fin políticas activas y participativas, con métodos sustentables, priorizando las prácticas agroecológicas a fin de preservar, recuperar y/o mejorar las condiciones de la tierra, especialmente de la productiva. Se complementarán los mapas de suelos ya existentes a nivel nacional y de las provincias, con énfasis en las necesidades de la agricultura familiar, campesina e indígena;
- b) La preservación y recuperación, multiplicación artesanal y en escala, provisión y acceso de las semillas nativas tendrá prioridad en los planes y programas productivos del ministerio, quien articulará con todas las instituciones estatales y no estatales, nacionales, latinoamericanas y mundiales; que tengan políticas orientadas en el mismo sentido;
- c) Procesos productivos y tareas culturales: los procesos de producción tradicionales y/o los procesos de diversificación que se encaren de cada zona serán fortalecidos con el acompañamiento técnico, logístico, financiero y en insumos cuando se justifique, para la siembra, tareas culturales que ellos demanden y cosecha correspondiente; y serán evaluados periódicamente de una

manera participativa desde un enfoque de sustentabilidad económica, social y ambiental;

d) Preservación de cosechas, acopio y cadenas de frío: Las producciones que necesiten un período de mantenimiento por producto terminado, o post cosecha y/o de acopios respectivos, el ministerio buscará la máxima articulación asociativa por zona y por producto, para la inversión estatal o mixta en la infraestructura socio-productiva necesaria para tal fin: depósitos, playones forestales, infraestructura de faena y de frío, entre otros;

e) Procesos de industrialización local: se auspiciará y fortalecerán todos los procesos de transformación secundaria y agregado de valor en origen que permita desarrollar la potencialidad productiva, organizativa y logística de cada zona;

f) Procesos de comercialización: Se instrumentarán políticas integrales y sostenidas referidas al fraccionamiento, empaquetamiento (“packaging”), el transporte, la red de bocas de expendio propias o convenidas locales, regionales y nacionales, la difusión pedagógica por todos los medios existentes o por existir de los productos de la agricultura familiar, así como la articulación con grupos de consumidores, quienes tendrán acceso permanente a una base de datos con información nutricional; y tendrán una unidad conceptual las políticas en este sentido, aunque tengan una variedad enorme de unidades ejecutoras por territorios y por asuntos temáticos.

**ARTÍCULO 22.** — El ministerio impulsará:

1. La realización de ferias locales, zonales y nacionales, y pondrá especial énfasis en la conformación de una cadena nacional de comercialización, articulando estructuras propias, cooperativas de productores o instancias mixtas cuando resulten necesarias.

2. La promoción de marcas comerciales y denominaciones de origen y otros mecanismos de certificación, como estrategia de valorización de los productos de la agricultura familiar.

3. La compra de alimentos, productos, insumos y servicios provenientes de establecimientos productivos de los agricultores y agricultoras familiares registrados en el Registro Nacional de Agricultura Familiar (RENAF) tendrá prioridad absoluta en la contrataciones directas que realice el Estado nacional para la provisión de alimentos en hospitales, escuelas, comedores comunitarios, instituciones dependientes del Sistema Penitenciario Nacional, fuerzas armadas y demás instituciones públicas dependientes del Estado nacional. A tal fin se deberán suscribir convenios de gestión con las distintas jurisdicciones a fin de fijar metas y objetivos a cumplir.

**TÍTULO V**

## **Desarrollo tecnológico, asistencia técnica e investigación**

**ARTÍCULO 23.** — El ministerio apoyará la diversificación e innovación productiva enfocada a la instalación de unidades demostrativas de experimentación. Sustentará el asesoramiento técnico y aporte de materiales e insumos; el desarrollo de experiencias innovadoras en materia de producción y consumo; la difusión de la producción natural orgánica y ecológica y la investigación tecnológica.

**ARTÍCULO 24.** — La autoridad de aplicación contribuirá a:

- a) Garantizar la preservación, fomento, validación y difusión de las prácticas y tecnologías propias de las familias organizadas en la agricultura familiar, campesina e indígena, a fin de fortalecer la identidad cultural, la transmisión de saberes y recuperación de buenas prácticas sobre la producción, atendiendo todo lo inherente a logística y servicios públicos; comunicación; servicios educativos rurales; energías renovables distribuidas; manejo, cosecha y recuperación de agua; bioarquitectura para vivienda e infraestructura productiva; agregado de valor en origen; certificación alternativa;
- b) Preservar los bienes naturales para las futuras generaciones, promoviendo el desarrollo productivo integral para el buen vivir, en armonía con la naturaleza y preservando la diversidad genética, respetando los usos y costumbres, reconociendo a la familia como el núcleo principal de la producción y de la sostenibilidad productiva a través del tiempo;
- c) Promover hábitos de alimentación sana y su difusión masiva.

**ARTÍCULO 25.** — El marco de las prioridades de las políticas públicas, el ministerio, el Instituto Nacional de Tecnología Agropecuaria (INTA) y el Sistema Nacional de Ciencia y Técnica, priorizarán la Investigación productiva para el desarrollo de la agricultura familiar y sus productos diversificados.

Las universidades, institutos técnicos y tecnológicos, escuelas superiores tecnológicas y otras instituciones públicas, privadas y comunitarias que desarrollan innovación, realizarán investigaciones que abarquen aspectos socioculturales, productivos y organizativos para fortalecer la agricultura familiar, campesina e indígena, en el marco de las prioridades estatales en coordinación y siguiendo los lineamientos del ente rector del Sistema Nacional de Ciencia y Técnica.

**ARTÍCULO 26.** — Créase en el ámbito del ministerio el Centro de Producción de



Semillas Nativas (CEPROSENA), con colaboración del Instituto Nacional de Tecnología Agropecuaria y el Instituto Nacional de Semillas que tendrá como misión contribuir a garantizar la seguridad y soberanía alimentaria, teniendo por objetivo registrar, producir y abastecer de semillas nativas y criollas; siendo sus funciones:

- a) Realizar un inventario y guarda de las semillas nativas a los fines de su registro;
- b) Promover: la utilización de la semilla nativa y criolla para la alimentación, la agricultura, la forestación, aptitud ornamental y aplicación industrial;
- c) Organizar el acopio, la producción y la comercialización de la semilla nativa y criolla a fin de garantizar su existencia en cantidad y calidad para su uso;
- d) Realizar y promover la investigación del uso y preservación de la semilla nativa y criolla. A tal fin podrá celebrar convenios con entidades públicas o privadas;
- e) Desarrollar acciones tendientes a evitar la apropiación ilegítima y la falta de reconocimiento de la semilla nativa y criolla;
- f) Coordinar acciones con los organismos de contralor a fin de hacer efectiva la legislación protectora de la semilla nativa;
- g) Realizar acciones tendientes a garantizar la variedad y diversidad agrícola y que favorezcan el intercambio entre las productoras y productores;
- h) Proponer y fortalecer formas de producción agroecológica;
- i) Asesorar en la política a las áreas del Poder Ejecutivo nacional que lo requieran emitiendo su opinión en forma previa y preceptiva al dictado de normas relacionadas con la actividad semillerista.

## TÍTULO VI

### **Educación, formación y capacitación**

**ARTÍCULO 27.** — El Ministerio de Agricultura, Ganadería y Pesca elaborará propuestas al Ministerio de Educación sobre temáticas relacionadas a la educación rural, en todos los niveles que tienen carácter de obligatoriedad, afianzando así una educación que revalorice su contexto inmediato, facilitando la construcción ciudadana de niños y jóvenes del ámbito rural; al mismo tiempo desarrollará programas que permitan adquirir valores, destrezas y habilidades propias del sector de la agricultura familiar.

El Poder Ejecutivo nacional promoverá la formación técnica superior y capacitación en el área rural, reconociendo las formas propias de aprendizaje y transmisión de conocimientos del sector.

**ARTÍCULO 28.** — El Ministerio de Educación, en coordinación con el Ministerio de Salud, incorporará en la malla curricular del Sistema Educativo, la educación

rural, la educación alimentaria nutricional, la importancia del consumo de productos de origen nacional, incluyendo los de la agricultura familiar, campesina e indígena, sanos, nutritivos y culturalmente apropiados.

## TÍTULO VII

### **Infraestructura y equipamientos rurales**

**ARTÍCULO 29.** — El Poder Ejecutivo nacional, a través del ministerio y su Unidad de Cambio Rural, priorizará políticas de provisión y mejora de la infraestructura rural en todas sus dimensiones, tales como: infraestructura de transporte, red vial, viviendas, electrificación rural, infraestructura predial según actividad productiva, tecnologías de información y comunicación, agua y riego en todas sus variantes según potencialidad del territorio, infraestructura social, saneamiento básico dirigidos al desarrollo rural, al arraigo y la ocupación armónica del territorio.

Se recomendará a las provincias y municipios los siguientes lineamientos:

- a) Asignar al menos al cincuenta por ciento (50%) de la población rural en provincias y municipios, programas de viviendas rurales (construcción, ampliación y mejoras), a fin de recuperar el déficit crónico en esta materia. También se pondrá especial cuidado de que el diseño de la vivienda se realice de una manera participativa y con un enfoque bioclimático;
- b) Organizar un sistema de saneamiento articulado por zonas, que incluya el proceso de residuos sólidos y la disposición final de excretas;
- c) Instrumentar, en el marco del plan general del gobierno, la construcción y mantenimiento de la red caminera troncal de cada provincia, e impulsar el sistema de consorcios camineros para el mantenimiento y mejoramiento de caminos rurales de la red secundaria en cada zona y provincia;
- d) Asegurar la provisión de agua para riego, para animales y agua potable para humanos en cada núcleo familiar y en cada predio de los agricultores familiares, a través de planes, programas y proyectos que instrumentarán el sistema más adecuado de provisión en cada zona. Los planes no se suspenderán hasta que todas las familias rurales tengan agua para sus necesidades, y se deberá monitorear en forma continua las modificaciones territoriales que signifiquen algún riesgo de déficit de agua.

**ARTÍCULO 30.** — El Ministerio de Agricultura, Ganadería y Pesca en tal sentido procederá a:

- a) Instrumentar todas las medidas necesarias para que ningún predio de agricultura familiar resulte con déficit energético, de acuerdo al plan productivo

que encara en el mismo. Tendrá un relevamiento en tiempo real de la planificación de corto, mediano y largo plazo por territorio y arbitrará los planes necesarios para garantizar los requerimientos energéticos que de ellos se deriven, con especial promoción de aquellas que provengan de fuentes renovables;

b) Diseñar un programa permanente para mejorar y aumentar el equipamiento y la infraestructura predial y comunitaria destinada a los aspectos productivos o sociales de la población; evaluando según el sector de ingresos y el tipo de necesidad de equipamiento o de infraestructura las características del financiamiento, pudiendo oscilar entre el subsidio directo, sistemas de microcréditos, fondos rotatorios, banca rural, caja de crédito y/o créditos bancarios a tasa subsidiada;

c) Promover prioritariamente servicios de transporte públicos o de tipo projects cooperativo, otorgando especial consideración al transporte rural, tanto de pasajeros como el relativo al transporte de la producción, en el análisis, diseño adecuado a cada zona, frecuencias, ritmos y costos que serán fruto del debate territorial;

d) Las comunicaciones, sean de tipo tradicional o de las nuevas Tecnologías de la Información y Comunicación (TIC), estarán al servicio de las necesidades sociales, educativo-culturales y productivas de cada zona; y por ende el ministerio instrumentará un plan permanente en articulación con las estructuras competentes, para que ninguna zona ni familia se encuentre en aislamiento, se supere la brecha digital y se cuente con el mejor servicio que el país o la provincia puede proveer en cada período histórico de acuerdo a los requerimientos de los agricultores y agricultoras familiares en cada territorio.

## TÍTULO VIII

### Políticas sociales

**ARTÍCULO 31.** — El Poder Ejecutivo nacional, a través de sus organismos respectivos, deberá:

- a) Garantizar el acceso y funcionamiento de todos los servicios sociales (educación, salud, deportes, cultura, discapacidad, desarrollo y promoción social, así como la asistencia social directa) para la totalidad de la población rural en el territorio, en función de que su existencia, continuidad y calidad que aseguren el arraigo de las familias rurales. Los procesos de gestión y la administración de los servicios públicos deberán considerar mecanismos de participación de las organizaciones de la agricultura familiar, campesina e indígena en cada territorio;
- b) La educación rural será declarada servicio público esencial. Se implementará el método de alternancia en todas las zonas que así se justifique, y en el sistema

educativo público tendrá participación de la comunidad en la gestión y monitoreo del funcionamiento del establecimiento;

c) Recuperar y desarrollar sistemas de atención primaria de la salud mediante una red de agentes sanitarios que tendrán un sistema de formación continua, e integrados al sistema de salud en sus diferentes niveles;

d) Auspiciar un programa de deporte rural zonal y provincial, que favorezca el reencuentro con las prácticas deportivas tradicionales en cada lugar, así como actividades de promoción del ocio creativo propias de las costumbres del lugar;

e) Las políticas culturales auspiciarán la creación de escenarios, bienes y servicios culturales que favorezcan la promoción de valores propios de la ruralidad, y se potenciarán en políticas nacionales en su formulación, diseño, ejecución y evaluación desde el territorio rural correspondiente, propiciando su elaboración de abajo hacia arriba;

f) El desarrollo social de las comunidades y de los subsectores sociales o generacionales que la componen (la promoción de la mujer, los jóvenes, la niñez, la ancianidad, los discapacitados, y/o minorías existentes) serán optimizados con políticas integrales, en articulación con las jurisdicciones específicas, y/o en forma directa por políticas propias en las zonas que resulte necesarias impulsirlas.

## TÍTULO IX

### **Instrumentos de promoción**

**ARTÍCULO 32.** — El Régimen de Reparación Histórica de Agricultura Familiar contempla instrumentos de promoción vinculados a:

1. Sanidad agropecuaria: El ministerio instrumentará planes, programas y proyectos para fortalecer la capacidad de cumplimiento de la legislación sanitaria nacional vigente; y las normativas bromatológicas que se exijan en cada territorio. Se trabajará en las acciones adecuadas para el desarrollo logístico, de infraestructura y de gestión en función del cumplimiento de los requerimientos de sanidad agropecuaria.

2. Beneficios impositivos: La agricultura familiar, campesina e indígena y sus actores serán beneficiarios de descuentos impositivos progresivos cuando la autoridad de aplicación certifique prácticas que impliquen agregado de valor en origen y servicios ambientales en sus diversas manifestaciones.

3. Previsional: Se promoverá un régimen previsional especial para los agricultores y agricultoras familiares, de conformidad al establecido en la ley 26.727 sobre Régimen del Trabajo Agrario.

4. Certificaciones: El Poder Ejecutivo nacional a través de sus órganos técnicos autorizados, garantizará la certificación de calidad u otras exigencias del

mercado internacional, cuando sectores de la agricultura familiar, campesina e indígena necesiten exportar. El Ministerio de Agricultura, Ganadería, Pesca y Alimentación, a través de un Sistema de Certificación Participativa, asegurará la certificación en procesos y productos de circulación nacional.

5. Promuévase la creación de un seguro integral para la agricultura familiar destinado a mitigar los daños y pérdidas sufridas por fenómenos de emergencia o catástrofe, accidentes laborales, pérdida o robo de animales, productos forestales, agrícolas, máquinas e implementos rurales.

6. Créditos: El ministerio deberá convenir con el Banco de la Nación Argentina, la creación de líneas de crédito específicas, con tasas de interés subsidiadas y garantías compatibles con las características de la actividad, que financien a largo plazo la adquisición de inmuebles, maquinarias, vehículos, y a corto plazo la compra de insumos, gastos de comercialización, transporte, etc.

Los créditos de un monto de hasta diez (10) canastas básicas, tendrán como requisitos exigibles al productor estar inscripto en el RENAF, en el monotributo social y contar con un plan de inversión avalado técnicamente por algún organismo nacional o provincial pertinente, Instituto Nacional de Tecnología Agropecuaria (INTA), Instituto Nacional de Tecnología Industrial (INTI) o la Secretaría de Agricultura Familiar.

## TÍTULO X

### De los recursos necesarios

**ARTÍCULO 33.** — Los recursos que demande la implementación de la presente ley serán asignados por la adecuación presupuestaria que el Poder Ejecutivo nacional disponga.

### NORMAS COMPLEMENTARIAS

**ARTÍCULO 34.** — Agrégase como inciso e) del artículo 4° de la ley 23.843 Consejo Federal Agropecuario el siguiente texto:

Artículo 4°: [...] inciso e) Atender con políticas específicas la problemática de la agricultura familiar y los pequeños productores rurales, a cuyo efecto se garantizará la participación efectiva de las organizaciones representativas del sector.

**ARTÍCULO 35.** — Modifícase el artículo 1° de la ley 24.374, modificada por las leyes 25.797 y 26.493, el cual quedará redactado de la siguiente manera:

Artículo 1°: Gozarán de los beneficios de esta ley los ocupantes que, con causa lícita, acrediten la posesión pública, pacífica y continua durante tres (3) años con anterioridad al 1° de enero de 2009, respecto de inmuebles edificados urbanos que tengan como destino principal el de casa habitación única y permanente, y reúnan las características previstas en la reglamentación.

En las mismas condiciones podrán acceder a estos beneficios los agricultores familiares respecto del inmueble rural donde residan y produzcan.

**ARTÍCULO 36.** — Modifícase el artículo 18 de la ley 26.509, “Créase el Sistema Nacional para la Prevención y Mitigación de Emergencias y Desastres Agropecuarios”, el cual quedará redactado de la siguiente manera:

Artículo 18: Los recursos del Fondo Nacional para la Mitigación de Emergencias y Desastres Agropecuarios estarán exclusivamente destinados a financiar los programas, proyectos y acciones del Sistema Nacional para la Prevención y Mitigación de Emergencias y Desastres Agropecuarios para mitigar y recomponer los daños ocasionados por la emergencia y/o desastre agropecuario, mediante acciones aisladas o programáticas dispuestas con carácter concomitante y posterior, según el caso, a la ocurrencia de la emergencia y/o desastre agropecuario. Aféctese un veinte por ciento (20%) de la totalidad de ese fondo a acciones orientadas a la prevención de daños por emergencias y/o desastres agropecuarios sobre la agricultura familiar.

## TÍTULO XI

### Consideraciones generales/transitorias

**ARTÍCULO 37.** — El Poder Ejecutivo nacional deberá reglamentar la presente ley en un plazo de ciento ochenta (180) días contados a partir de la fecha de su promulgación.

**ARTÍCULO 38.** — Comuníquese al Poder Ejecutivo nacional.

DADA EN LA SALA DE SESIONES DEL CONGRESO ARGENTINO, EN BUENOS AIRES, A LOS DIECISIETE DIAS DEL MES DE DICIEMBRE DEL AÑO DOS MIL CATORCE.

— REGISTRADA BAJO EL Nº 27.118 —

JULIAN A. DOMINGUEZ. — GERARDO ZAMORA. — Lucas Chedrese. — Juan H. Estrada.

Source: InfoLEG, *Agricultura Familiar*, <[www.infoleg.gob.ar/infolegInternet/anexos/240000-244999/241352/norma.htm](http://www.infoleg.gob.ar/infolegInternet/anexos/240000-244999/241352/norma.htm)>, accessed on September 1<sup>st</sup>, 2015.







## BIBLIOGRAPHY

Aguirre Patricia, *Ricos Flacos, Gordos Pobres. La alimentación en Crisis, Colección Claves Para Todos*. Capital Intelectual, Buenos Aires, 2004;

“Agroecologically efficient agricultural systems for smallholder farmers: contributions to food sovereignty”, Altieri Miguel A., Funes-Monzote Fernando R., Petersen Paulo, in *Agronomy for Sustainable Development, Official journal of the Institut National de la Recherche Agronomique (INRA)*, INRA and Springer-Verlag, France 2011;

“The meaning and principles of agroecology”, Altieri Miguel A., Rosset Peter, Thrupp Lori A., (source), in *Recipe for disaster, who is cooking the global meal?*, Latin American Solidarity Centre, Dublin, April 2010, p. 12;

Binimelis Rosa, and others, “La necesidad de indicadores para construir la soberanía alimentaria”, in *Procesos hacia la soberanía alimentaria*, Cuéllar M., Calle A., Gallar D., (eds.), Icaria editorial, s. a., Barcelona, 2013, pp. 153-166;

Brasky Osvaldo, Gelman Jorge, *Historia del agro argentino, Desde la Conquista hasta los comienzos del siglo XXI*, Editorial Sudamericana, Buenos Aires, 2009;

Brookes Graham, Barfoot Peter, “GM Crops: the first ten years. Global socio-economic and environmental impacts”, in *ISAAA Brief*, n. 36, Ithaca, New York, 2006;

*Los señores de la soja – La agricultura transgénica en América Latina*, (edited by) Bravo Ana Lucía, Centurión Mereles Higo Florencio, Domínguez Diego Ignacio, Sabatino Pablo, Poth Carla Mariela, Rodríguez Javier Leonel, (introduction) Bravo María Elizabeth, CLASCO, Buenos Aires, 2010.

Campbell Tom, “From food security to food sovereignty: an alternative response to global food crisis”, in *Recipe for disaster, who is cooking the global meal?*, Latin American Solidarity Centre, Dublin, April 2010, pp. 3-5;

Conway Gordon R., *Agroecosystem analysis for research and development*, Winrock international, Bangkok, 1986;

“Obesity and socioeconomic status in developing countries: a systematic review”, (edited by) Dinsa G.D., Y. Goryakin, Fumagalli E. and Suhrcke M., in *Obesity Reviews*, n. 13, 2012, pp. 1067–1079;

“Análisis de la cadena de soja en Argentina”, Giancola Silvana Inés, Salvador

María Laura, Covacevich Melina, Iturrioz Gabriela (edited by), in *Estudios Socioeconómicos de los sistemas agroalimentarios y agroindustriales*, n. 3, Ediciones Instituto Nacional de Tecnología Agropecuaria, 2009;

Harris Marvin, *Cows, Pigs, Wars and Witches*, Vintage Books Edition, New York, 1989;

Lajmanovich Rafael C., Sandoval M. T., Peltzer Paola M., "Induction of mortality and malformation in *Scinax nasicus* tadpoles exposed to glyphosate formulations", in *Bulletin of Environmental Contamination and Toxicology*, Vol. 70, n. 3, Springer, New York, March 2003, pp. 612-618;

Lawrence Felicity, *Eat your hearth out, Why the food business is bad for the planet and your health*, Penguin Books, London, 2008;

Malthus Thomas, *An essay on the principle of population*, (first edition 1798), Dover Publications, Inc., New York, 2007;

Marino Gustavo, "Los bosques nativos, otra alternativa sustentable", in *La Argentina de la soja*, ConCiencia, Universidad Nacional Del Litoral, n. 13, year 10, Santa Fe, August 2004, pp. 6-7;

Pilatti Miguel, "¿Alguien se acuerda del suelo?" in *La Argentina de la soja*, ConCiencia, Universidad Nacional Del Litoral, n. 13, year 10, Santa Fe, August 2004, pp. 8-9.

Nestle Marion, *Food Politics, How the food industry influences nutrition and health*, University of California Press, Berkeley and Los Angeles, California, 2007;

Schanbacher William D., *The Politics of Food, The Global Conflict between Food Security and Food Sovereignty*, Praeger, Santa Barbara, California, 2010;

Sen Amartya, *Hunger in the contemporary world*, DERP no. 8, London, 1997;

Shiva Vandana, "Derecho a la alimentación, libre comercio y fascismo", in Matthew J. Gibney (eds.), *La globalización de los derechos humanos*, Crítica, Barcelona, 2004, pp. 95-121;

Stiglitz Joseph E., *Globalization and its discontents*, W.W. Norton & Company, New York, 2002;

Svampa Mariastella, "«Consenso de los Commodities» y lenguajes de valoración en América Latina", Nueva Sociedad, n. 244, Buenos Aires, March-April 2013, pp.

30-46;

Windfuhr Michael, Jonsén, Jennie, *Food Sovereignty. Towards democracy in localized food systems*, ITDG Publishing, Bourton-on-Dunsmore, 2005.

## WEBSITES

Aguirre Patricia, *La seguridad alimentaria*, available at <[www.suteba.org.ar/download/trabajo-de-investigacin-sobre-seguridad-alimentaria-13648.pdf](http://www.suteba.org.ar/download/trabajo-de-investigacin-sobre-seguridad-alimentaria-13648.pdf)>, accessed on March 28<sup>th</sup>, 2015;

*Asociación de la Cadena de la Soja Argentina*, <[www.acsoja.org.ar/](http://www.acsoja.org.ar/)>, accessed on June 10<sup>th</sup>, 2015;

BBC News, “McLibel: Longest case in English history”, <[news.bbc.co.uk/2/hi/uk\\_news/4266741.stm](http://news.bbc.co.uk/2/hi/uk_news/4266741.stm)>, published on February 15<sup>th</sup>, 2005, accessed on July 18<sup>th</sup>, 2015.

Bunge official website, “Bunge is a leading agribusiness and food company with integrated operations that circle the globe, stretching from the farm field to the retail shelf”, *Company: About Bunge*, <[www.bunge.com/About-Bunge](http://www.bunge.com/About-Bunge)>, accessed on July 13<sup>th</sup>, 2015;

Cargill official website, “Cargill reports fourth-quarter and full-year fiscal 2014 earnings”, published on August 7<sup>th</sup>, 2014, <[www.cargill.com/news/releases/2014/NA31671868.jsp](http://www.cargill.com/news/releases/2014/NA31671868.jsp)>, accessed on July 16<sup>th</sup>, 2015;

Cavallaro Matt, “The Seeds Of A Monsanto Short Play” in *Forbes*, published on June 29<sup>th</sup>, 2009, <[www.forbes.com/2009/06/29/monsanto-potash-fertilizer-personal-finance-investing-ideas-agrium-mosaic.html](http://www.forbes.com/2009/06/29/monsanto-potash-fertilizer-personal-finance-investing-ideas-agrium-mosaic.html)>, accessed on May 17<sup>th</sup>, 2015;

Food and Agriculture Organization, *Fertilizer use by crop in Argentina*, Food and Agriculture of the United Nations, Rome 2004, available at <[www.fao.org/docrep/007/y5210e/y5210e00.htm#Contents](http://www.fao.org/docrep/007/y5210e/y5210e00.htm#Contents)>, accessed on May 25<sup>th</sup>, 2015.

Food and Agriculture Organization, “Ley Marco Derecho a la Alimentación, Seguridad y Soberanía Alimentaria”, <[www.fao.org/fileadmin/templates/righttofood/documents/project\\_m/doc/Ley](http://www.fao.org/fileadmin/templates/righttofood/documents/project_m/doc/Ley)

\_Marco\_DA\_Parlartino.pdf>, accessed on August 26<sup>th</sup>, 2015;

“La fertilización en cultivos extensivos de la Región Pampeana Argentina: Aportes del INTA”, Gudelj Vicente, Galarza Carlos, Ferrari Manuel, Senigagliesi Carlos, Berardo Angel, Darwich Néstor, Echeverría Hernán (edited by), in *INPOFOS Informaciones Agronómicas*, n. 30, <[www.ipni.net/publication/ialacs.nsf/0/530637DC95F65E7F85257995007A4800/\\$FILE/5.pdf](http://www.ipni.net/publication/ialacs.nsf/0/530637DC95F65E7F85257995007A4800/$FILE/5.pdf)>, pp.19-21, accessed on May 10<sup>th</sup>, 2015;

Ministerio de Agricultura, Ganadería y Pesca website, Alimentos Argentinos, “Código Alimentario Argentino”, <<http://www.alimentosargentinos.gob.ar/contenido/marco/marco2.php?secmarco=nacional>>, accessed on August 3<sup>rd</sup>, 2015;

Global Justice Now, “Food Speculation”, <[www.globaljustice.org.uk/food-speculation](http://www.globaljustice.org.uk/food-speculation)>, accessed on March 28<sup>th</sup>, 2015;

Gobierno de Santa Fe, “Decreto N°1152/13”, <[http://www.assal.gov.ar/assal\\_principal/documentos/Decreto\\_1152\\_13.pdf](http://www.assal.gov.ar/assal_principal/documentos/Decreto_1152_13.pdf)>, accessed on September 16<sup>th</sup>, 2015.

InfoLEG, “Agricultura Familiar”, <[www.infoleg.gob.ar/infolegInternet/anexos/240000-244999/241352/norma.htm](http://www.infoleg.gob.ar/infolegInternet/anexos/240000-244999/241352/norma.htm)>, accessed on September 1<sup>st</sup>, 2015;

Inta, “Cambio Rural II, Innovación e Inversión”, <[inta.gob.ar/noticias/cambio-rural-ii-innovacion-e-inversion](http://inta.gob.ar/noticias/cambio-rural-ii-innovacion-e-inversion)>, accessed on August 6<sup>th</sup>, 2015;

Inta, “PROFAM”, <[inta.gob.ar/documentos/profam](http://inta.gob.ar/documentos/profam)>, accessed on August 11<sup>th</sup>, 2015;

Inta, “ProFeder”, <[inta.gob.ar/documentos/profeder-programa-federal](http://inta.gob.ar/documentos/profeder-programa-federal)>, accessed on August 11<sup>th</sup>, 2015;

La Via Campesina, “Declaration of Nyéléni”, <[viacampesina.net/downloads/PDF/Brochura\\_em\\_INGLES.pdf](http://viacampesina.net/downloads/PDF/Brochura_em_INGLES.pdf)> accessed on March 29<sup>th</sup>, 2015;

Louis Dreyfuss Commodities official website, “South and West Latin America”, <[www.ldcom.com/global/en/our-business/regional-footprint/south-and-west-latin-america/](http://www.ldcom.com/global/en/our-business/regional-footprint/south-and-west-latin-america/)>, accessed on July 17<sup>th</sup>, 2015.

Ministerio De Desarrollo Social de la Nación, “Sobre Pro Huerta”

<[www.desarrollosocial.gob.ar/wp-content/uploads/2015/08/1.-M--s-sobre-PRO-HUERTA.pdf](http://www.desarrollosocial.gob.ar/wp-content/uploads/2015/08/1.-M--s-sobre-PRO-HUERTA.pdf)>, accessed on August 11<sup>th</sup>, 2015;

Piovano Pablo, Izquierdos Humanos, “*El costo humano*”, <[www.izquierdoshumanos.com/#!ELCOSTOHUMANO/cjds/5512d5d70cf2aa18115b1646](http://www.izquierdoshumanos.com/#!ELCOSTOHUMANO/cjds/5512d5d70cf2aa18115b1646)>, accessed on March 29<sup>th</sup>, 2015;

The Guardian, “Roundup weedkiller 'probably' causes cancer, says WHO study”(published on March 21<sup>st</sup>, 2015), <[www.theguardian.com/environment/2015/mar/21/roundup-cancer-who-glyphosate-](http://www.theguardian.com/environment/2015/mar/21/roundup-cancer-who-glyphosate-)>, accessed March 29<sup>th</sup>, 2015;

United Nation, “Goal 1: Eradicate extreme poverty and hunger”, <[www.un.org/millenniumgoals/poverty.shtml](http://www.un.org/millenniumgoals/poverty.shtml)>, accessed on May 2<sup>nd</sup>, 2015;

United Nations Development Program, “Human Development Index and its components (2014)”, <[hdr.undp.org/en/content/table-1-human-development-index-and-its-components](http://hdr.undp.org/en/content/table-1-human-development-index-and-its-components)>, accessed on May 1<sup>st</sup>, 2015.

Wells Thomas, The Internet Encyclopedia of Philosophy, “Sen’s Capability Approach”, <[www.iep.utm.edu/sen-cap/#H3](http://www.iep.utm.edu/sen-cap/#H3)>, accessed April 13<sup>th</sup>, 2015;

World Development Movement, Justice for the world’s poor:

- “The great hunger lottery” (July 2010)

<[www.globaljustice.org.uk/sites/default/files/files/resources/hunger\\_lottery\\_report\\_6.10.pdf](http://www.globaljustice.org.uk/sites/default/files/files/resources/hunger_lottery_report_6.10.pdf)>;

- “Broken markets” (September 2011)

<[www.globaljustice.org.uk/sites/default/files/files/resources/broken-markets.pdf](http://www.globaljustice.org.uk/sites/default/files/files/resources/broken-markets.pdf)>,

accessed on March 28<sup>th</sup>, 2015;

World Health Organization, “Food Security”,

<[www.who.int/trade/glossary/story028/en/](http://www.who.int/trade/glossary/story028/en/)>, accessed on March 3<sup>rd</sup>, 2015.

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